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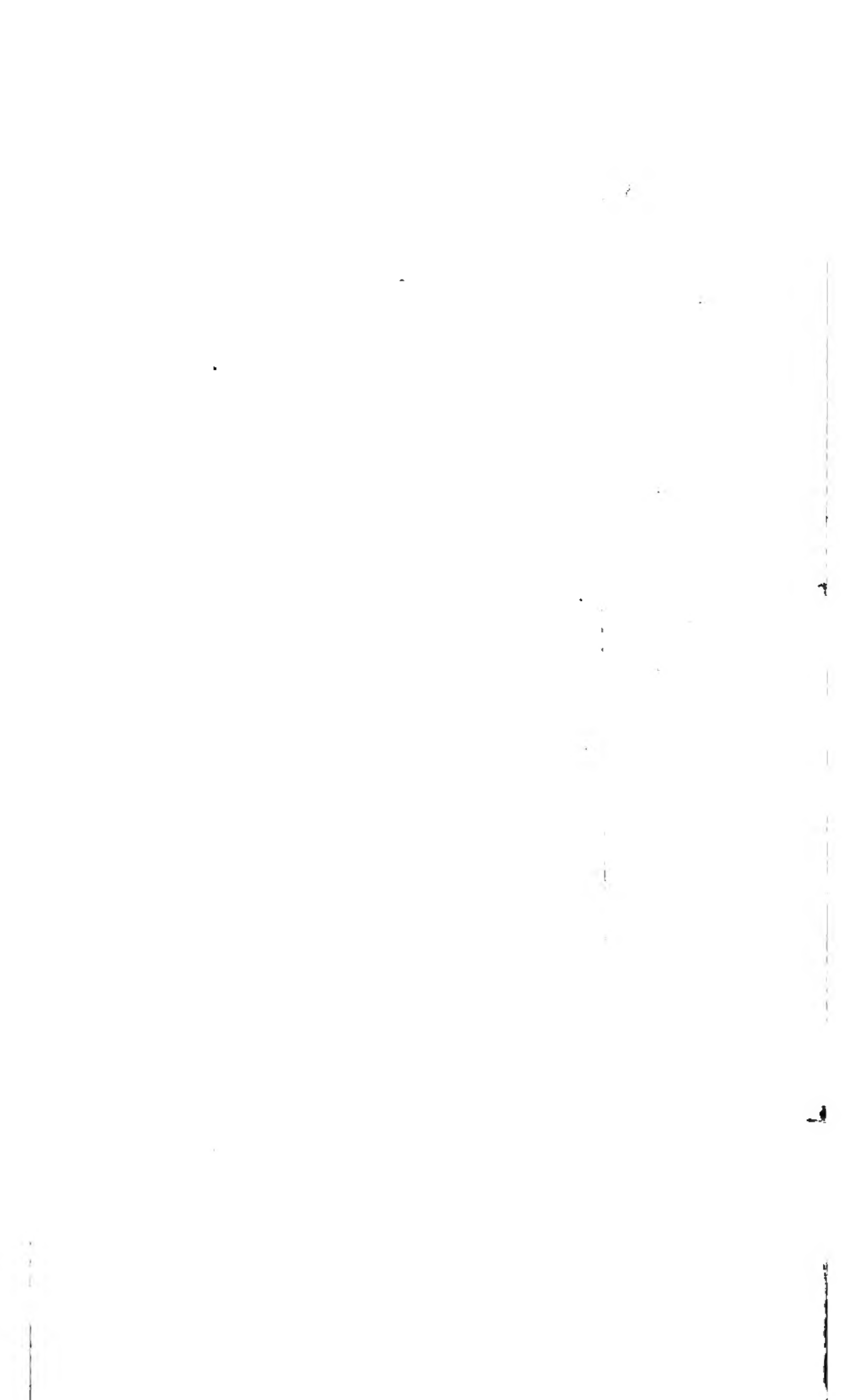
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THE
PARLIAMENTARY DEBATES

AUTHORISED EDITION.

FOURTH SERIES :

COMMENCING WITH THE SEVENTH SESSION OF THE TWENTY-FOURTH
PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

55 VICTORIÆ, 1892.

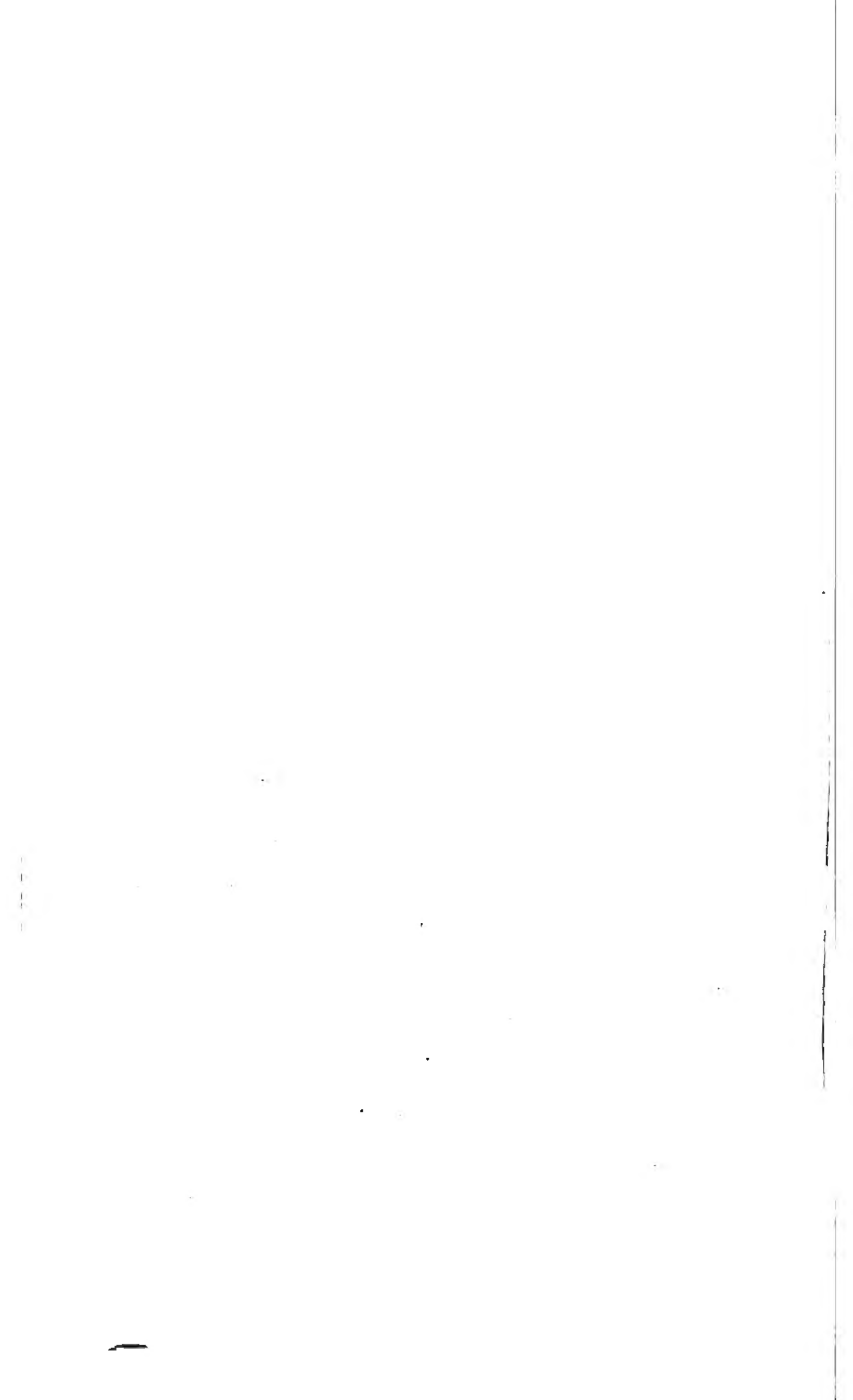
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COMPRISING THE PERIOD FROM
THE TWENTY-EIGHTH DAY OF MARCH, 1892.,
TO
THE SECOND DAY OF MAY, 1892.

Third Volume of the Session.

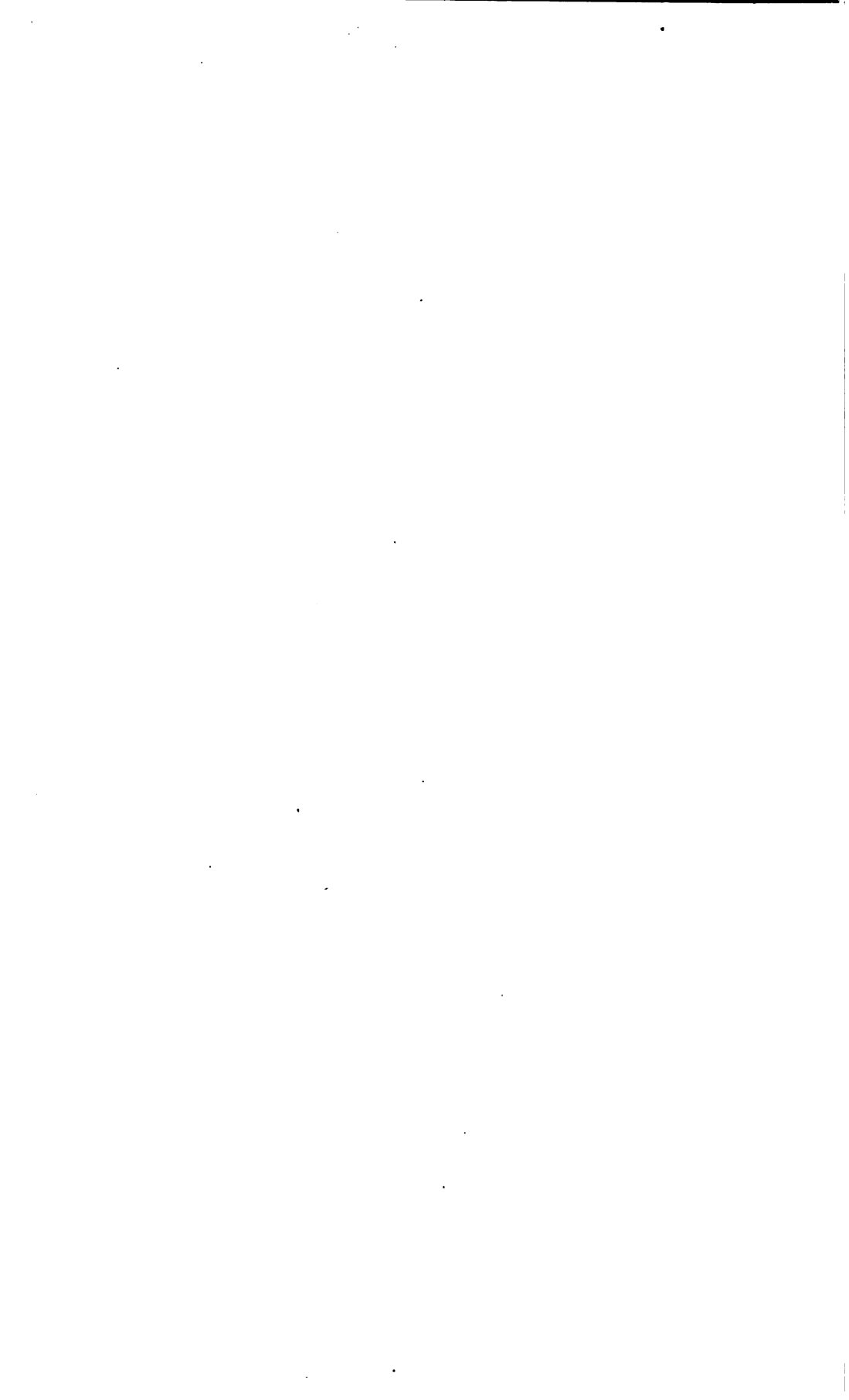
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ERRATA.

- 1 April. Page 463, line 54, should read "*Mr. Cowper.*"
4 April. Page 605, line 57, should read "*which goes.*"
7 April. Page 859, line 36, should read "*under this authority.*"
25 April. Page 1300, line 4, should read "*Dr. McDonald, Ross and Cromarty.*"
29 April. Page 1723, line 31, should read "*Glasgow, Edinburgh, Dundee.*"



THE PARLIAMENTARY DEBATES, (AUTHORISED EDITION)

IN THE
SEVENTH SESSION OF THE TWENTY-FOURTH PARLIAMENT OF
THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND
APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF SESSION 1892.

HOUSE OF LORDS,

Monday, 28th March, 1892.

BEHRING SEA SEAL FISHERY.

QUESTION—OBSERVATIONS.

LORD HERSCHELL: My Lords, before the correspondence appeared which has been made public this morning I had given the noble Marquess, the Secretary of State for Foreign Affairs, notice of my intention to ask him what was the nature and extent of the modifications of the *modus vivendi* of last Session for regulating the Behring Sea Seal Fishery, now proposed by Her Majesty's Government to the Government of the United States, and whether he can give your Lordships any further information upon the subject without prejudice to the public interest? Probably the correspondence published this morning answers, as fully as the

VOL. III. [NEW (FOURTH) SERIES.]

noble Marquess can, the first part of the question; but I would still ask him whether there is any further information beyond that which has appeared which he can give your Lordships without prejudice to the public interest?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the publication which has been laid upon the Table, and which appeared in the newspapers this morning, contains all the correspondence right to within 24 hours of the date when it appeared, and I have absolutely no information later than that period. I feel that there may seem to be some curtness if I do not answer the noble Lord at length; but I think he will appreciate my view that it is better to let that correspondence speak for itself, and that I should not hazard any commentaries either upon our own productions or upon those of the United States. I do not see that any advantage could arise at this stage from a discussion of the matter. My Lords,

I have perhaps deviated from the usual course in making an entire disclosure of the correspondence that has passed, before the negotiation with which it was concerned was concluded; but it became evident that much of it was becoming public property on the other side of the water, and I thought that under those circumstances it was only fair, and tending to promote a due appreciation of the questions at issue, that we should place the whole of it before the Houses of Parliament and before the English public. I really have nothing further to state; but if there is anything that the noble Lord does not understand, or which I can explain to him, I shall be exceedingly glad to do so.

LORD HERSCHELL: My Lords, of course after what the noble Marquess has said; unless it were to ask for information upon some point which appeared obscure, I certainly should not think it desirable to put any question with a view of eliciting any further statement. At present no such question occurs to me; but I have only had time to glance somewhat cursorily at the correspondence as yet, and if anything occurs to me I will trouble the noble Marquess with a further question.

MALTA MILITIA REGIMENT.

QUESTIONS. OBSERVATIONS.

***EARL DE LA WARR:** My Lords, I wish to call the attention of Her Majesty's Government to a statement which, if correct, will seriously affect the present position, and probably the future efficiency, of the Royal Maltese Militia. It is stated on good authority, and it has not I believe been contradicted, that the pay of the officers of the Maltese Militia has recently been considerably reduced. I wish to ask the noble Lord who represents the War Office in this House whether that is the case, and to ask him to what extent that has taken place, and also whether the reason can without inconvenience be stated? My Lords, what seems to increase the weight of the blow which this regiment appears to have received is that this reduction was made some time after the formation of the regiment, without informing those whom it will most seriously affect. I venture therefore to hope

The Marquess of Salisbury

that Her Majesty's Government will state what amount of pay to these officers was agreed upon when the regiment was formed, and what reduction was afterwards made in that pay, and whether it was done without informing the officers. I do not wish to press anything upon Her Majesty's Government which might be inconvenient at this moment to be stated; but I do think that it concerns very much the welfare of this corps that some explanation should be given to them why this reduction was made. It may be in the recollection of your Lordships that not long ago this regiment was inspected by His Royal Highness the Commander-in-Chief in Malta, and that great commendation was given with regard to the soldier-like bearing of the men and also the efficiency which they had shown. I think therefore, my Lords, it is only due to this corps that some explanation should be given, and some reason stated to them why Her Majesty's Government have thought fit to reduce this pay, and that without their assent and without their knowing the reason why it has been done. I beg therefore to ask the noble Lord who represents the War Office in this House whether any information can be given to your Lordships which will throw light upon the subject.

***THE UNDER SECRETARY OF STATE FOR WAR (EARL BROWNLOW):** My Lords, I must preface my reply to the noble Earl by explaining to your Lordships' House that the service rendered by the Royal Malta Militia differs in many respects from the services rendered by any other regiment in Her Majesty's Service. Their services cannot be compared with those of the Militia, because they have never yet been called out for permanent training; their services are more similar to those rendered by the Volunteers. But when one comes to the question of pay it is obvious that, as the Volunteers serve the country for nothing, it is impossible to make any comparison in that respect. I will inform your Lordships what the state of the case is. When it was first proposed to raise the Royal Malta Militia it was supposed that their service would be in every way similar to that of a Militia regiment in this country:

that they would be called out for a short period of training, and that during that time they would, as a matter of course, receive the full pay and allowances received by Militia regiments. It appears, however, that it was impossible to make an arrangement for this, and the arrangement that was at last come to was that they should give 78 half day's work, and that for those 78 half days the officers should receive half pay. Subsequently a very strong appeal was made by the officers of the regiment that they should be allowed for a time to draw full pay. The reason given was that there were large initial expenses in raising the regiment connected with uniform, band, and so on, and that as the regiment was raised from the beginning the officers would have to give a great deal more time than the half time proposed when the regiment was first raised. The Secretary of State, after due consideration, made this concession for the year, and allowed the officers to draw full pay. Another appeal was made at the end of the first year, when the Secretary of State was again begged to extend the time for another year and allow these officers to receive full pay. That concession was allowed for another year; but at that time it was on the distinct understanding that at the end of that period the 78 half days should be given for half pay. My Lords, I think that these concessions on the part of the Secretary of State were certainly amply justified by the conduct of the officers themselves. They applied themselves with great zeal and energy to making their regiment as efficient as they could, and, as the noble Earl has already said, when they were paraded for inspection before His Royal Highness the Commander-in-Chief, His Royal Highness was able to express his unqualified satisfaction at the efficiency of the regiment and the soldierlike appearance of the men upon parade. Again another appeal was made, and the Secretary of State took the whole matter very carefully into his consideration. The proposal then made was that the regiment should form a camp for ten days, during which time the officers were to receive not only full pay, but messing allowance, and that the number of days should be

reduced from 78 to 56. Apparently this has never been carried out. I do not know quite what the local difficulties may be in the Island, but there seem to be difficulties in the way, and the regiment has never yet been called out for permanent training. If they were, no doubt the arrangement would be easy to carry out; but the difficulties, whatever they are, lie in Malta. Under these circumstances there has been no other alternative but to revert to the original arrangement of the 78 half days for half pay, and that is how the matter stands now. Therefore, so far from there being any reduction in the pay of the officers, all that has now been done is really to revert to the original arrangement made at the beginning. I hope the noble Earl will be satisfied with that answer.

EARL DE LA WARR: Did I correctly understand that the terms were 78 days' training for 78 days' pay?

EARL BROWNLOW: Seventy-eight half days. I may mention that the time for drill on those days has been fixed by His Royal Highness the Commander-in-Chief at three hours, which cannot be called a full day.

TECHNICAL AND INDUSTRIAL INSTITUTIONS BILL [H.L.].

A Bill to facilitate the acquisition and holding of land by institutions for promoting technical and industrial instruction and training—Was presented by the Lord Macnaghten; read 1st; to be printed; and to be read 2^d on Thursday next. (No. 53.)

HARES BILL.

House in Committee (according to order); Bill reported without amendment; and re-committed to the Standing Committee.

House adjourned at a quarter before Five o'clock.

HOUSE OF COMMONS,

*Monday, 28th March, 1892.*EAST INDIA (DEATH OF BULWUNT
RAO).

Address for Copy of Correspondence relating to the inquiry into the circumstances of the death of Bulwunt Rao at Gwalior.—(*Mr. Seymour Keay.*)

CROWN LANDS BILL.

Ordered, That the Examiners of Petitions for Private Bills do examine the Crown Lands Bill with respect to compliance with the Standing Orders relative to Private Bills.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intitled, "An Act to consolidate enactments relating to the Marriage of British Subjects outside the United Kingdom." [Marriages Abroad Bill [*Lords.*]

EASTBOURNE IMPROVEMENT ACT, 1885,
AMENDMENT BILL.

Mr. Bartley, Mr. John Ellis, Admiral Field, Mr. Henry H. Fowler, and Sir Henry James nominated Members of the Committee, with Four Members to be added by the Committee of Selection.—(*Mr. Akers-Douglas.*)

QUESTIONS.

FLINTSHIRE MAGISTRATES.

MR. S. SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether the attention of the Government has been drawn to a recent Correspondence between the Rhyl Liberal Club and the Lord Lieutenant of the County of Flint on the subject of the appointment of Magistrates in Flintshire; whether he is aware that very great dissatisfaction exists at the small number of Liberals who are placed on the Bench—namely, some ten only out of a total of 90 Magistrates; whether he is aware that there is only one Protestant Nonconformist on the Bench, while fully two-thirds of the population of the county are Nonconformists, and whether he is aware that there are a considerable number of Nonconformists resident in the county who are qualified, legally and otherwise, for appointment as

Magistrates; whether he is aware that only a very few of the Magistrates can speak Welsh, and that the need of an interpreter is often required, and whether the Government will use the needful pressure to induce the Lord Lieutenant to take steps that all Political Parties shall be fully represented on the Bench in proportion to their numbers, and thus remove a cause of bitterness which exists on the subject throughout the county?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have received a Copy of the Correspondence. The Lord Lieutenant of Flintshire informs me that he is unable to ascertain the proportion between Conservative and Liberal appointments to the Bench made by him, as his appointments have never been influenced by political considerations. He believes that few of the Magistrates speak Welsh; but that in a large portion of Flintshire no Welsh is spoken, and that in the Welsh-speaking districts interpreters are always to be obtained, and in no case has there been a failure of justice owing to want of knowledge of Welsh on the Bench. In the Rhyl district the Lord Lieutenant has recently appointed three Magistrates, two of whom are Welsh-speaking gentlemen. It is no part of my duty to interfere with the discretion of the Lord Lieutenant in selecting suitable persons to be placed on the Commission of the Peace.

MR. S. SMITH: The right hon. Gentleman has not answered my question as to whether there is only one Protestant Nonconformist on the Bench?

MR. MATTHEWS: I have no information as to the religion of any of the Magistrates.

THE PROBATION OF FIRST
OFFENDERS ACT, 1887.

MR. S. SMITH: I beg to ask the Secretary of State for the Home Department whether he will issue an official Circular to Magistrates, Recorders, and Chairmen of Quarter Sessions, inviting their further consideration of the provisions of "The Probation of First Offenders Act, 1887," especially in view of the statement made by Her Majesty's Commis-

sioners of Prisons for England and Wales in their last Report that, in at least some districts, the local prison Governors are "not aware of the Act having been applied at all," and in view also of the figures in the latest "Judicial Statistics," showing that more than half of all the persons proceeded against summarily in the year were of "previous good character," whilst another large proportion had "nothing known against them?"

MR. MATTHEWS: I propose to issue a Circular calling attention to Section 16 of the Summary Jurisdiction Act, and to the Probation of First Offenders Act.

UNCLASSED TEACHERS IN IRISH NATIONAL SCHOOLS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many unclassified teachers have been appointed to national schools in Ireland during the years 1888, 1889, 1890, and 1891 respectively; and under what circumstances can the manager of a school appoint an unclassified teacher of whose qualifications he is satisfied?

*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The Commissioners of National Education report that in the years named the numbers of unclassified teachers appointed have been as follows:—1888, 48; 1889, 23; 1890, 18; 1891, 18. Several of these teachers had previously been monitors. Appointments of this nature are considered by the Commissioners where a person possessing the qualifications of a classified teacher cannot be found to fill an occurring vacancy, but conditional on his immediately passing a preliminary entrance examination for provisional classification in the third class. For his continued recognition he is required to pass the general examination next happening.

OFFICIALS EMPLOYED ON THE INDIAN CENSUS.

MR. MAC NEILL: I beg to ask the Under Secretary of State for India how many Europeans, Eurasians, and Indians were officially employed in connection with the taking of the recent Census in India?

*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): The Secretary of State has no information on the subject.

MR. MAC NEILL: May I ask can the Secretary of State procure information on the subject?

*MR. CURZON: We are expecting later on a detailed Report upon the Census; but if the information desired by the hon. Member is not contained therein, I do not think there will be any advantage in asking for it.

THE "CHARGE TAKER" AT THE GENERAL POST OFFICE, DUBLIN.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the Postmaster General if he will cause inquiry to be made into the way the recently appointed "charge taker," Mr. A. Taplin, in the General Post Office, Dublin, was selected for the position, and whether due regard was had to the claims, on the grounds of service and fitness for the position, of other *employés*; whether this officer has charge of the male and female domestic servants of the department; and whether he can state the grounds for the dismissal of six of the female servants since Taplin took charge, the religion of the servants dismissed, and of those who were appointed to their places?

THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): Altogether four candidates applied for the situation, and Mr. Taplin was selected by the Postmaster General as being by far the best qualified for the duties to be performed. The charwomen of the department are under his control. There are no male domestic servants. The charwomen are not established servants, nor are all of them regularly employed, some of them being paid by the job. Eight (not six) of these persons have left since Mr. Taplin became charge taker. Of these eight, two left in consequence of age; one left in consequence of illness; one resigned; and four were dismissed for drunkenness and general misconduct. Neither of those who have left nor of those who have succeeded them is the religion known; nor is it the practice of the department to inquire.

THE GENERAL POST OFFICE, DUBLIN.

MR. P. O'BRIEN: I beg to ask the Postmaster General whether he can state the grounds upon which a candidate named E. C. Conlan, who twice presented himself for preliminary examination for the office of sorting clerk in the General Post Office, Dublin, in 1892, was each time rejected?

SIR J. FERGUSSON: The grounds were, not being tall enough and not being sufficiently educated.

WEST INDIAN SUGAR.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for the Colonies whether the Secretary of State will take into consideration, with regard to any permanent reductions in duties proposed upon articles imported into the West Indian Colonies from the United States, the fact that although the United States, under the M'Kinley Tariff, have agreed to admit West Indian sugars duty free, they have granted a bonus equivalent to the former scale of duties to home producers; and whether alterations in the existing Customs tariffs of the Colonies will necessitate higher duties on all articles exported from the United Kingdom to these Colonies?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): In entering into the arrangement with the United States Government, under which the duties imposed in certain West Indian Colonies on various articles imported chiefly, though not exclusively, from the United States have been reduced, Her Majesty's Government took into consideration the fact that a bounty is granted in the United States to home producers of sugar. Alterations in the existing Customs tariffs of the Colonies will not necessitate higher duties on all articles exported from the United Kingdom to these Colonies.

MR. SUMMERS (Huddersfield): Can the right hon. Gentleman say when Papers on the subject will be laid on the Table?

BARON H. DE WORMS: They are in preparation.

SUPPLY OF REGIMENTAL STORES.

MR. P. O'BRIEN: I beg to ask the Financial Secretary to the War Office whether he will inquire if regiments stationed in Ireland are largely supplied with groceries and other dry goods, obtainable in Ireland, from the Army and Navy Stores, London; whether any, and, if so, how many, of the officers of regiments stationed in Ireland are shareholders and have other financial interests in the Army and Navy Stores; whether it has come to his knowledge that any officers so interested in the Army and Navy Stores have used their influence in their regiments to procure orders for Army supply from that establishment to the injury of Irish traders, who are taxed to support the British Army; and what action he proposes to take in the matter?

*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. Brodrick, Surrey, Guildford): This matter was very carefully considered in 1890. I can only repeat what has been said by the Secretary of State. No complaints have been received on the subject. The canteens supplying groceries to the troops are managed by the regimental committees, who act independently of the War Office, and are free to obtain their supplies from whatever source they think fit.

DEBTS OF VOLUNTEER REGIMENTS.

MR. ISAACS (Newington, Walworth): I beg to ask the Financial Secretary to the War Office if his attention has been called to an unreported case of "*Herbert & Co. v. Silver*," judgment in which was given by the Hon. Mr. Justice Day on the 19th January last at Guildhall Sittings of the Queen's Bench Division, and in which the learned Judge directed the jury that each member of the Finance Committee of a Volunteer Regiment was personally liable for debts of the regiment; and, if so, whether he is prepared to issue a Regulation under the powers contained in "*The Volunteer Act, 1863*," Section 16, by which the liability of the members of the Finance Committee should be limited to the amount of the public funds at the disposal of the commanding officer, in whom all the property of the regi-

ment is vested by Section 25 of the said Act, or otherwise, to obviate the possibility, under the authority of the said case, of individual members of the Finance Committee being personally sued for regimental debts?

*MR. BRODRICK: It is not the duty of the Finance Committee of a Volunteer corps to give orders on behalf of the regiment; if it does so, it renders itself liable for the expense of such orders. Regulations now under consideration will make it quite clear where the responsibility for orders, given on behalf of the regiment, rests.

THE COST OF UNIFORMS OF HIGHLAND REGIMENTS.

COLONEL NOLAN (Galway, N.): I beg to ask the Financial Secretary to the War Office what is the entire cost entailed on the Estimates by dressing Highland regiments in their national costume?

*MR. BRODRICK: The clothing of the Scottish regiments of the Line and of the Militia costs about £15,000 a year more than the clothing of the same number of ordinary Infantry regiments.

TELEGRAPH OFFICE, LITTLE DOWN- HAM, CAMBRIDGESHIRE.

MR. BRAND (Cambridge, Wisbech): I beg to ask the Postmaster General whether he will take into consideration the claims of Little Downham, in Cambridgeshire, for a postal telegraph office, in so much as this parish has a population of 2,000 people, and has no telegraph office or second delivery of letters?

SIR J. FERGUSON: The hon. Member has, I find, been informed that the office could only be established under a certain guarantee.

DISMISSAL OF THE BALLYSCALLY NATIONAL SCHOOL TEACHER.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what were the circumstances attending the dismissal of Mr. A. Gallagher, national school teacher, Ballyscally, County Tyrone; and when the Commissioners of Education propose to make public their decision on the Inspector's Report made in November last?

*MR. JACKSON: The Commissioners of National Education report that the teacher mentioned was dismissed by the manager of the school on 31st December, 1891. In communicating the dismissal to the Board, the manager stated that he had determined the service of the teacher in consequence of repeated acts of insubordination, together with other displeasing features of his conduct. Certain complaints had been previously made by the manager against the teacher. The Commissioners had them inquired into by their Inspector, and, having considered his Report, decided that the case did not demand further action on their part. They duly notified their decision to the manager on 17th December.

THE WEARING OF THE SHAMROCK.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Financial Secretary to the War Office whether the Sergeant Major of the Carlow Militia is correctly reported, when ordering the men to remove their shamrocks from their caps on St. Patrick's Day, to have told them "to throw away those tufts of grass;" and, if so, whether he will be reprimanded for making use of this observation?

*MR. BRODRICK: As the hon. Baronet is aware from recent discussions, no soldier is allowed to wear any decoration on parade, except with the permission of his commanding officer. My right hon. Friend (Mr. Stanhope) has, I think, satisfied the House that he has no desire to run counter to the national sentiment in this matter, but as the order, under the circumstances, was perfectly proper, he has not felt it necessary to inquire as to the exact terms in which it was given.

MR. SEXTON (Belfast, W.): Will the hon. Gentleman say how this statement can be reconciled with the fact that men of the Welsh Fusiliers are allowed to wear the leek on parade on St. David's Day?

*MR. BRODRICK: I think my answer covers that point. With the permission of the commanding officer this or any other emblem may be worn. It is not alleged that in the present instance such permission was sought, and

the officer or non-commissioned officer would order the removal of the emblem badge, or whatever it was, without regard to what it was.

MR. P. O'BRIEN: I beg to ask the Financial Secretary to the War Office whether it is a custom with the Northumberland Fusiliers, when parading on St. George's Day (23rd April), for all officers and men by order to wear two roses, red and white, in their busbies; and whether English, Irish, Scotch, and Welsh soldiers in that regiment are obliged, under pain of punishment for disobedience, to conform to this custom; if so, whether he will cause an order to be made that the wearing of shamrock on St. Patrick's Day shall be discretionary in the Army?

*MR. BRODRICK: The Commander-in-Chief is not cognisant of the custom referred to in the question. There is no necessity to issue an order as to the wearing of the shamrock on St. Patrick's Day, as such matters are within the discretion of commanding officers.

MR. P. O'BRIEN: Seeing how unfairly the discretion is used, is it not desirable that some instructions should be issued? May I also ask, Could not the information be obtained?

*MR. BRODRICK: I think the hon. Member is incorrect in saying that the discretion has been unfairly used. It is not alleged that any application has been made to a commanding officer for leave to wear the shamrock and refused. As regards the custom mentioned in the question, it is not within the knowledge of the War Office, and as it does not come within the regulations for discipline it has not been thought necessary to make inquiry.

MR. P. O'BRIEN: I beg to ask the First Lord of the Admiralty whether his attention has been called to a report from the Press Association that a stoker at the Seamen's Barracks, Devonport, was ordered 14 days' imprisonment for wearing the shamrock on St. Patrick's Day last; whether he can give the name of the man imprisoned, and of the officer who gave the sentence, and the general circumstances of this case; and, if the Press report is true, whether he will order the release of

Mr. Brodrick

this man pending an investigation of the facts of the case, and until the House is afforded an opportunity of considering the matter?

LORD G. HAMILTON: I am informed that Frederick Dwyer, stoker, while on parade at Divisions, was ordered by the lieutenant on duty to take some green decoration out of his cap, and that he refused to obey the order. This was reported to Commander Neville, who thereupon punished the man with 14 days, number 10^a, for wilful disobedience in refusing to obey orders. Commander Neville subsequently reduced this sentence to seven days, number 10^a. This is one of the ordinary summary punishments authorised by the Regulations in such cases. Grog is stopped, smoking is forbidden, and the offender is practically confined to barracks, but he is not imprisoned. Considering that disobedience to orders is a grave offence against discipline, I do not think the punishment inflicted was severe, nor do I propose to interfere in the matter.

MR. P. O'BRIEN: I beg to give notice that on the first opportunity I will press this matter upon the attention of the House.

MR. T. P. O'CONNOR (Liverpool, Scotland): I would ask the noble Lord if there is any other instance on record of anyone in the National Service having been punished for wearing a national decoration?

LORD G. HAMILTON: I cannot answer that question, but I may say that no decorations of any kind are permitted to be worn by men in Her Majesty's uniform.

MR. SEXTON: I would ask the noble Lord whether there is any objection to the Admiralty issuing a General Order or indication that the Admiralty does not desire that Irishmen in the Service should be required to remove green decorations on St. Patrick's Day.

LORD G. HAMILTON: Whatever Regulation applies to Irishmen must apply to all other nationalities.

MR. J. O'CONNOR (Tipperary, S.): I would ask the noble Lord whether as an Irishman he has ever worn the shamrock himself on St. Patrick's Day?

MR. SPEAKER: Order, order!

MR. P. O'BRIEN: I would like to ask the noble Lord whether, seeing the near approach of Primrose Day, he will give orders that primroses are not to be worn by soldiers or sailors on that day?

MR. SPEAKER: Order, order!

LABOURERS' COTTAGES, ROSCREA UNION.

MR. A. O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether representations from ratepayers of the Borris in Ossory and Moneenalassa electoral divisions of the Roscrea Union for the erection of labourers' cottages were lodged as far back as December, 1888; whether any of these cottages have yet been built; whether the Guardians have even yet obtained possession of the plots of land for their erection; whether the Board of Works required a sum of £30 to be lodged before the Government arbitrator was allowed to proceed with the valuation of three half-acre plots; and whether any of this money has been returned to the Roscrea Board, or any account furnished of its disbursement?

*MR. JACKSON: The proposal to provide labourers' cottages in the case mentioned was first submitted to the Local Government Board in December, 1889, and was duly sanctioned under a Provisional Order. The information before me does not show whether the Guardians have yet obtained possession of the land. The Board of Works did obtain the deposit mentioned. They have not yet accounted with the Guardians, as they are awaiting the furnishing by the Arbitrator of his bill of costs.

MR. A. O'CONNOR: Will the Board of Works continue to exact the heavy deposit of £10 in each case, seeing that very often the purchase money does not exceed that?

MR. JACKSON: That is rather a question for the Secretary to the Treasury.

MR. A. O'CONNOR: The right hon. Gentleman may recollect that when he filled the office of Secretary to the Treasury he offered to look into this matter.

MR. JACKSON: I did make inquiry when I was in Dublin, when, if I re-

member aright, the question was the provision of labourers' cottages in a Union in the South of Ireland. The suggestion made was whether a local valuer could not be employed instead of sending down an officer from Dublin. I made inquiries, and I was then told that it was very difficult to arrange that, because in many of these cases it was very difficult to find a local valuer not in some way connected with the matter. The object, of course, is by inquiry to obtain an independent opinion. I did make the suggestion to the Board of Works that they should try and limit the amount of the deposit to what would be a fair amount of the charge.

MR. A. O'CONNOR: Will the right hon. Gentleman see that the unexpended balance is returned to the Guardians?

MR. JACKSON: That is rather a question for the Treasury.

LOANDA TRADE REPORT.

MR. NEVILLE (Liverpool, Exchange): I beg to ask the Under Secretary of State for Foreign Affairs whether the British Consul at Loanda, who receives £700 a year, has made any later Report on the trade of Loanda than that for 1886-7; and if he will explain why regular information is not forwarded to the Foreign Office?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): Reports from Loanda were received and issued by the Foreign Office in 1888 and in 1889. In 1890 the Consul at Loanda, Mr. Annesley, was engaged in special duties in the Oil Rivers district (owing to the illness and subsequent death of Consul Hewett). In 1891 Consul Annesley resigned in consequence of ill-health. Acting Consul Brock was instructed on the 2nd of January last to send home a Report on the trade of Loanda, and he is now engaged in preparing it.

ULVERSTON POSTMASTERSHIP.

MR. NEVILLE: I beg to ask the Postmaster General whether the Postmastership at Ulverston, worth £215 per annum, was recently given to a lady who had previously acted as sorting clerk at a salary of 30s. a week;

whether there were many applicants for the post of higher position and longer service; whether such rapid promotion is usual in the Service; and whether in this instance outside influence was brought to bear in respect of the appointment?

SIR J. FERGUSSON: The answer to the first paragraph of the question is, Yes. It was given to Miss Margaret Hornsby, the daughter of the late Postmaster, who in one capacity or another had assisted her father in the office during a period of 18 years. The answer to the second paragraph is, Yes, and to the third, No. To the last paragraph I answer, Yes, in this sense—that the locality presented a very influential memorial, and recommended her appointment as Postmistress in succession to her father.

THE PETTY SESSIONS BENCH, RAMELTON, COUNTY DONEGAL.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that on the Petty Sessions Bench at Ramelton, County Donegal, a town with 1,700 inhabitants, of whom fully half are Roman Catholics, there are six Magistrates, and of these five are members of the Irish Episcopal Church and one a Presbyterian; and whether he will consider the propriety of taking steps to secure that members of the Roman Catholic faith should form part of a Court in which justice is administered to so large a Roman Catholic population?

*MR. JACKSON: I am an unwilling assistant of the hon. Gentleman in his self-imposed task of taking a religious census of the officials of Ireland; but the Secretary to the Lord Chancellor of Ireland reports that there are seven Magistrates attending the Petty Sessions mentioned. The religious denominations of six of these Magistrates is, it is believed, as stated in the question. There is no information on this point as regards the seventh, nor is there information as to the relative proportion of the several religious denominations in the district, though I am informed that the statistics of the hon. Member are inaccurate. The Lord Lieutenant of the county is always ready to consider the names of

Mr. Neville

any properly qualified Roman Catholics submitted to him, and the Lord Chancellor to give effect to such recommendations when made.

MR. MAC NEILL: There is a vacancy on the Petty Sessions Bench. Will the right hon. Gentleman undertake that if a Roman Catholic gentleman is recommended and found qualified he shall be appointed?

*MR. JACKSON: It is quite out of my power to give any such undertaking; but I am sure if the hon. Member will recommend to the Lord Lieutenant of the county or the Lord Chancellor a suitable person, that recommendation will be most carefully considered.

MR. MAC NEILL: I do not intend that the Lord Lieutenant or the Lord Chancellor should dispense patronage to me.

MILITARY CANDIDATES—WOOLWICH AND SANDHURST.

MR. MAC NEILL: I beg to ask the Financial Secretary to the War Office whether the Queen's Regulations require a candidate who presents himself for admission to the Royal Military Academy at Woolwich, or the Royal Military College at Sandhurst, to obtain a certificate of moral and satisfactory conduct from his tutor; and whether these certificates are ever dispensed with by the Authorities at the Horse Guards; and, if so, how many of such dispensations have been granted in each of the last three years, and on what grounds?

*MR. BRODRICK: The Regulations require certificates as to moral character for the last four years in the case of candidates for the Royal Military College and the Royal Military Academy. This rule is so rigidly adhered to that there has been only one exception during the last three years, and in that case the certificate was only dispensed with under the most special circumstances and after the fullest inquiry.

PAY OF OFFICERS COMMANDING DEPOT CENTRES.

COLONEL NOLAN: I beg to ask the Financial Secretary to the War Office what is the total cost of the pay and allowances of the officers commanding depot centres?

*MR. BRODRICK: The cost of employing these officers, instead of giving them the retired pay to which they are entitled and receiving no service in return for it, is £10,950.

COLONEL NOLAN: That is not the information I want. My question is, what is the total cost?

*MR. BRODRICK: I can supply that information, but I thought the hon. and gallant Gentleman wished to know the extra cost.

COLONEL NOLAN: I will repeat the question to-morrow.

FOOT-AND-MOUTH DISEASE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Board of Agriculture when the promised new Order will be issued with respect to districts infected with the foot-and-mouth disease, to meet, as far as is practicable and safe, the convenience of farmers by permitting beasts to be sent to the Metropolitan Market under proper restrictions?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): Beasts can be sent now to the Metropolitan Market from every district in England and Wales, except the Counties of Sussex, Kent, Surrey, Cheshire, portions of Essex and Westmoreland, and part of Lancashire—which I have been compelled to close this morning—and from the districts other than those which are scheduled in Scotland. I hope the new Order to which the hon. Member refers will be issued during the course of the present week.

PLEURO-PNEUMONIA IN THE SKIPTON DIVISION.

MR. MORRISON (York, W.R., Skipton): I beg to ask the President of the Board of Agriculture what is the date of the last outbreak of pleuro-pneumonia in the Skipton Petty Sessional Division, and the probable time when the restrictions on the movement of stock out of that district will be abrogated?

MR. CHAPLIN: The last two outbreaks of pleuro-pneumonia nearest to the town of Skipton were, one near Grassington, on 8th September, 1891, and the other near Bingley, on 31st November, 1891. Another outbreak at

Willesden, near Bingley, occurred on 19th January last. The district, as the hon. Member is aware, is a cow-breeding one, and, when free, animals are distributed from it widely over the West Riding and Lancashire. It is, moreover, a district that imports considerable numbers of store cattle from Ireland, an importation which is not without danger. I am afraid that for the present the restrictions on the movement of stock out of the district must continue in force.

THE CONVICTS DALY AND EGAN— SUPERINTENDENT BLACK.

MR. J. E. REDMOND (Waterford): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a paragraph which appeared in the London correspondence of the *Manchester Evening Mail* on 4th March, 1892, in which it is stated that a certain ex-Inspector of police in the provinces absconded; whether the police officer referred to is the Inspector who was the chief witness for the Crown in the prosecution of James Egan and John Daly for treason-felony, and who was in charge of the police who arrested both of them; whether this Inspector has absconded, and whether any charges affecting this Inspector's official career have come to the knowledge of the authorities; whether he is aware that a public testimonial to the Inspector, headed by the Mayor of Birmingham, and another promoted by the police of that city, were abandoned at the request of Mr. Farndale, Chief Constable of Police, acting on behalf of the authorities, and in consequence of the allegations in question having come to their knowledge; and whether, as John Daly and James Egan were convicted largely on the evidence of this Inspector, an investigation will be instituted by the authorities into his official career?

MR. MATTHEWS: I have not seen the newspaper paragraph mentioned in the question, but I learn that its effect is correctly stated. I understand that the officer referred to is ex-Detective Superintendent Black, of the Birmingham police, who was a witness at the trial of Egan and Daly. He was not the officer in charge of the police who

arrested Egan and Daly. Mr. Black writes to me from Birmingham that he has not absconded, and his statement is confirmed in an official Report which I have received from the Chief Constable. Mr. Black also informs me that it is his intention, in consequence of these allegations, to place the matter in the hands of a solicitor, with a view to vindicate his character. It is the fact that a meeting was held by a number of the inhabitants of the City of Birmingham, but not headed by the Mayor, with the object of raising funds for a testimonial to Mr. Black, and that subscriptions were invited in the local newspapers. I am informed that Mr. Black put an end to the project himself by publishing a letter in which he respectfully declined the testimonial. This letter led also to the abandonment of a movement on the part of the police to collect subscriptions from the general body of the Force. The Chief Constable was not spoken to on this subject, and did not request that the subscriptions should be abandoned. I do not admit that Daly and Egan were convicted largely on the evidence of this officer. I am not aware that the Watch Committee of Birmingham intend to institute an investigation into his official career.

MR. J. E. REDMOND: The information I have is of such a character that I must ask the right hon. Gentleman another question in reference to this matter. I desire to ask him whether allegations have been made against this police officer of having been engaged for years in a criminal conspiracy; whether the authorities, as soon as these allegations came to their knowledge, went or sent to the testimonial committee and intimated that the testimonial proceedings should be stopped; whether the letter which the right hon. Gentleman has alluded to as having been written by Mr. Black, asking that the testimonial proceedings should be stopped, was written at the instance of the police authorities; and, if these facts are so, whether, in view of the important part played by this police officer in the trial and conviction of Daly and Egan, the right hon. Gentleman will consider the propriety of instituting a judicial investigation into the circumstances?

Mr. Matthews

MR. MATTHEWS: The officer to whom the hon. Member refers is not under my control, but under that of the Watch Committee, and I have no power to order a judicial investigation into his conduct. With regard to the defamatory statements the hon. Member has thought it right to put in the shape of a question, they are, so far as my information goes, inaccurate.

THE LAGOS TREATIES.

MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government are aware that the Treaty recently signed at Lagos by Mr. S. T. Carter, on behalf of this country and certain Jebus, was invalid in consequence of its not having been executed with the authority of the King and head chiefs of the Jebu people after consultation at a national council duly summoned with the necessary formalities required by native custom; whether the Treaties said to be concluded by the Egbas are similarly defective; and whether, before sanctioning any offensive operations against these independent kingdoms, the Secretary of State would cause careful inquiry to be made as to the circumstances under which these informal documents are considered binding upon Jebuan and Egban subjects by the Lagos Government?

BARON H. DE WORMS: A deputation sent to Lagos by the King of Jebu for the purpose of expressing the wishes of his people stated that they represented the whole of the Jebu nation, and that they had full authority to treat with the Lagos Government. The two Lagos Jebus who witnessed the agreement attested that the messengers "In the name of the Awujale and people of Jebu, and on their behalf, agreed to all the terms of the agreement, and undertook to carry them out, and declared that they were authorised to do so. The representatives further signified their acceptance of the terms by taking the country oath on kolas and water."

The only Treaty with the Egbas is the one of 5th January, 1852. It was concluded by authorised persons, and there is no reason to suppose it is not valid.

MR. SUMMERS: Was this Treaty with the Jebus confirmed by the chiefs?

BARON H. DE WORMS: It was made by the King.

MR. SUMMERS: And subsequently repudiated.

BARON H. DE WORMS: There is no evidence of that.

PUZZLE COMPETITIONS.

MR. SEYMOUR KEAY (Elgin and Nairn): I beg to ask the Secretary of State for the Home Department whether his attention has been called to advertisements in *Comic Cuts* and other papers, stating that £200 will be given away in cash prizes to those sending most correct solutions to certain puzzles, and inviting competitors to send solutions together with 13 stamps; whether information has reached him that, owing to the extreme ease of guessing these puzzles, vast numbers of persons, chiefly youths and children, are induced to send postal orders, receiving in return either nothing at all or merely nominal sums; and whether he will take steps to determine whether the law is being infringed by the operations in question?

MR. MATTHEWS: No, Sir; I have not seen the advertisements referred to; but I have called the attention of the Treasury Solicitor to the allegations made in the question.

CASSELL'S "NATIONAL LIBRARY" AND SCHOOL LIBRARIES.

MR. H. GARDNER (Essex, Saffron Walden): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to an offer made by Messrs. Cassell, publishers, to supply their "National Library" of 200 volumes at half price (£1 7s.), provided the library is vested in responsible persons, and he place one in which no bookseller resides; and whether, in view of the great advantage the possession of a lending library would be to the inhabitants of villages where no such provision now exists, and seeing that such a proposal is in accordance with paragraph 52 of the Revised Instructions to Her Majesty's Inspectors of Schools, lately issued by the Education Department, he will authorise and recommend school managers in rural districts where library exists to include in the school accounts a moderate sum sufficient for the purchase of Messrs. Cassell's or some similar library?

THE VICE PRESIDENT OF THE COUNCIL (Sir WILLIAM HART DYKE, Kent, Dartford): I understand that Messrs. Cassell have made such an offer as the hon. Member describes, and I am not aware of any reason why managers of schools should not avail themselves of it for the formation of a lending library, and charge the cost to the school fund.

MESSRS. RANSOME AND THE ADMIRALTY CONTRACT.

MR. WHITMORE (Chelsea): I beg to ask the First Lord of the Admiralty whether he can now state whether Messrs. Ransome, of Battersea, who are carrying out, under a sub-contract with Messrs. Thornycroft, of Chiswick, a portion of an Admiralty contract, are paying their workmen less than the trade rate of wages in contravention of the Resolution of this House of 13th February, 1891?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): From the inquiries I have made I am satisfied that Messrs. Ransome have fully complied with the terms of the Resolution in question.

TELEGRAPHISTS' HOLIDAYS.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Postmaster General whether, when a Bank Holiday falls during a telegraphist's annual leave, the usual practice is as follows: "If the day on which an officer should in ordinary course begin his annual leave happens to be a public holiday in the department, the officer's leave is reckoned to begin on the following day; if the day on which an officer's annual leave expires happens to be a public holiday in the Department, the officer is not required to resume duty till the day after the public holiday;" whether this course is adopted at all Provincial and London district offices, but not at the Central Telegraph Office; and whether he will recommend that the same privilege be extended to the clerks of the Central Telegraph Office, who at the present time have not participated in this extension of leave?

SIR J. FERGUSSON: The rule is as stated in the question. The Controller of the Central Telegraph Office was so informed on the 1st December

last, and the rule will be in operation during the current and future years.

EDUCATION CODE FOR EVENING SCHOOLS.

MR. S. SMITH: I beg to ask the Vice President of the Committee of Council on Education, with reference to evening schools and the New Code, whether, having regard to the fact that the articles of the Code which relate to evening schools are scattered under various headings, making it difficult to ascertain precisely the conditions requisite for obtaining a Government grant, and the further fact that many School Boards and other educational authorities in small towns and rural districts are unaware of their powers and responsibilities in respect to such schools, and of the facilities provided in the Code, he will issue, in connection with the Code, 1892, a special statement or summary of those clauses which relate to evening schools, showing the exact conditions under which a Government grant may be obtained, together with a table setting forth the subjects that may be taught, and the grants that may be earned, in evening schools?

SIR W. HART DYKE: I am aware of the advantages to be derived from the course suggested, and the Department have for some time had in contemplation the issue of a separate Code for evening schools, but the details of the scheme are not yet complete.

LICENCES AT SHOREDITCH.

MR. J. STUART (Shoreditch, Hoxton): I beg to ask the Secretary of State for the Home Department whether he is aware that the Licensing Magistrates of the Tower Hamlets Division, on Monday, 14th March, renewed the licence of a public house known as the "Norfolk Arms," in Bateman's Row, Shoreditch, after sworn evidence had been given that the house was the habitual resort of thieves, and that there were already 24 other public houses or beer shops within a radius of 200 yards, and after a majority of the inhabitants of the immediate neighbourhood had presented a memorial praying the Magistrates not to renew the licence; and whether he

can state why the Magistrates, after such evidence and memorial, renewed the licence?

MR. MATTHEWS: In regard to the renewal of the licence of a public house known as the "Norfolk Arms," Shoreditch, I am informed by the Magistrates' clerk that a general statement was made before the Bench that this house was "frequented by thieves," but that the evidence failed to establish that statement. The Magistrates do not consider that the fact that licensed houses, more or less numerous, exist in the neighbourhood is to be treated by itself, and in the absence of other reasons, as a reason for taking away the licence of any particular house. The Magistrates are unable to say whether the memorial referred to was signed by a majority of the inhabitants, but point out that under the Licensing Act the only evidence they can receive in opposition to the renewal of a licence must be on oath.

TURKEY AND ARMENIA.

MR. F. S. STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for Foreign Affairs whether the Turkish Commander of the 4th Army Corps, whose headquarters are at Erzeroum, has been compelling the Armenians to supply the horses necessary for the formation of the Kurdish Cavalry regiment, that the owners have received no compensation for the confiscated animals, and that acts of cruelty have been perpetrated at Kortanlan, Hogthean, and other places on those persons who refuse to give up their property; whether any protest has been made by the British Consul in Armenia; whether the acts enumerated are in contravention of Article 61 of the Berlin Treaty; and when the promised Papers relating to Armenia will be published?

MR. J. W. LOWTHER: No information in support of the allegations contained in the first paragraph has been received. Her Majesty's Vice Consul at Van has reported that the Kurds have come forward with great readiness to enlist, that their horses have been branded, and that although it was alleged that they had borrowed and stolen the horses of others he was not able to confirm the report. There

Sir J. Fergusson

has, consequently, been no ground for representations on the part of Her Majesty's Embassy. The acts alleged in the first paragraph might be considered to be in contravention of Article 61 of the Treaty of Berlin. Papers will be distributed this week.

DISTRESS AT INNISBOFFIN.

MR. FOLEY (Galway, Connemara): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that great distress prevails at present in the Island of Innisboffin, that 20 or 30 families there are in actual want; and if, in view of this lamentable condition of affairs, he will urge the Congested Districts Board to undertake the completion of the pier in the east end of the Island which was begun last year?

*MR. JACKSON: I have not yet been able to get the information to enable me to reply to this question, and therefore must ask the hon. Member to repeat the question.

THE POOR RATE COLLECTOR AT INNISBOFFIN.

MR. FOLEY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the local police sergeant acts as the Poor Rate collector in the Island of Innisboffin, and that, in some instances where the process of the law was invoked in this island to recover Poor Rates, warrants have been issued against persons who hold clear receipts for the rates now demanded; and whether a constable is authorised to perform the duties of rate collector?

*MR. JACKSON: The Constabulary Authorities report that it is not the case that the local police sergeant has been engaged as a collector of Poor Rates in Innisboffin, nor do the Constabulary act as Poor Rate collectors. But warrants were addressed to the sergeant by the Magistrate of Petty Sessions for the recovery of rates, and two of these warrants were not executed because the defendants produced receipts for the money paid.

MR. CRILLY (Mayo, N.): I would like to ask the right hon. Gentleman as he cannot answer the preceding question when he can answer this one?

*MR. JACKSON: The answer to that is very simple. Two different departments have to supply the information. I have got it from one and not from the other.

DUBLIN METROPOLITAN POLICE.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is able to state the number of superintendents of the Dublin Metropolitan Police, how many of them are Protestants, and how many Roman Catholics; whether any Protestants have become Roman Catholics, and afterwards have been promoted; whether a Protestant Inspector who, while on leave of absence, attended a meeting in London, was called upon to account for this; whether members of the Force are permitted to become members of the Gaelic Athletic Association, wearing its uniform, and acting as stewards; and if he will say what is the number of the Dublin Metropolitan Police, and how many of them are Protestants?

*MR. JACKSON: The Commissioner of Police reports there are seven superintendents in the Dublin Metropolitan Police, and they are all Roman Catholics. There is no record or trace of an occurrence of the nature mentioned in the second paragraph. The Inspector referred to in the third paragraph had spoken at a public meeting and was publicly reported. It was pointed out to him that he should not have brought himself thus prominently before the public without previously obtaining the views of his superiors. The reply to the inquiry in the fourth paragraph is in the negative. The Commissioner adds that the question of religion does not form any factor in the promotions in the Force. I would venture to deprecate these questions as regards the religion of men in the Public Service as being not conducive to public interests.

MR. JOHNSTON: May I be permitted to say I merely asked this question to show that the Protestants in Ireland are not getting everything their own way.

ILLEGITIMACY IN SCOTLAND.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Lord Advocate whether he is aware that 8 per cent. of the children born in Scotland are illegitimate; whether he is aware that the present law inflicts serious hardships on illegitimate children in all classes of society; and whether he will consider in what way the law may be amended, so as to remove the legal disabilities of children born out of wedlock, and to bring home to parents as fully as may be the responsibilities of parentage?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I have no reason to doubt the accuracy of the statement made in the first part of the question. Without expressing any opinion on the assertion that the present law inflicts hardship on illegitimate children, I shall be glad to consider any practical suggestions the hon. Member may make for its amendment.

MR. CUNINGHAME GRAHAM: I would ask the Lord Advocate whether he will be good enough to inquire into the law as bearing upon illegitimate children in reference to their parents claiming damages from employers where the children have been injured? Several cases of this kind have occurred in the mining districts.

*SIR C. J. PEARSON: I am not aware of any such cases as the hon. Member refers to, but if he will give me details I will make inquiry into the matter.

POST OFFICE SAVINGS BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether he is aware that an application, made by a branch of the Steam Engine Makers' Society, at New Brompton, to deposit the funds of the branch in the Post Office Savings Bank, was met by the reply, on the part of the Commissioners for the Reduction of the National Debt, that the branch could not deposit its funds without limit, on the grounds "that, in their opinion, your Society does not come within the class of cases contemplated by the Statute"; whether he is aware that it has been the practice of

the Society named for a great number of years to deposit in the Post Office Savings Bank the funds of all their branches, and that by some 70 to 80 branches the funds are so deposited at this time without any question; whether he can inform the House upon what grounds an exception is made as regards this particular branch; and whether it is the intention of the National Debt Commissioners to withdraw the privileges long enjoyed by the Trade Unions of the United Kingdom of depositing their funds in the Post Office Savings Banks, or of so limiting the amount as to render the privilege of but little benefit to such societies?

THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I would ask the hon. Member to postpone this question until to-morrow.

IRISH NATIONAL GALLERY.

SIR T. ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Mr. Armstrong, of the Fine Arts Club, has been appointed to the directorship of the Irish National Gallery in succession to the late Mr. Doyle; and whether no Irishman could be found equally competent for the position?

*MR. JACKSON: The Board of Governors of the National Gallery have reported the election of Mr. Armstrong as Director. The appointment is not under the control of the Government, nor am I aware of whether there were other candidates; but I have no doubt the Governors, in making the appointment, endeavoured to secure the services of the gentleman who, in their opinion, would be best qualified to fill the office.

EMIGRATION FROM THE HIGHLANDS OF SCOTLAND.

MR. A. SUTHERLAND (Sutherland): I beg to ask the Chancellor of the Exchequer whether he has had any further communication from the Government of British Columbia relative to the proposed scheme of emigration to that country from the Highlands of Scotland; whether the Government of British Columbia has accepted the offer of £150,000 for that purpose made by Her Majesty's

Government; whether he will lay the Correspondence referred upon the Table of the House; and whether Her Majesty's Government will advance a like or any sum for the purpose of settling the people of the Highlands in the unpeopled parts of their native land?

MR. GOSCHEN: I have not received any further communication from the Government of British Columbia with reference to the proposed emigration scheme from the Highlands of Scotland. The offer of a loan of £150,000 made by Her Majesty's Government has not yet been accepted by the Government of British Columbia, but the hon. Member has probably seen telegrams in the public Press stating that the Legislature of that colony has the matter under consideration. It will be desirable to wait for the conclusion of the negotiations before laying the Correspondence on the Table of the House. With regard to the last paragraph of the hon. Member's question, I am not aware that any practical proposal has been made in the direction which he indicates.

THE SOLOMON ISLANDS.

DR. CAMERON (Glasgow, College): I beg to ask the First Lord of the Admiralty whether his attention has been called to a telegram, dated New York, 30th October, 1891, and published in the *Times* of the following day, in which it is stated that—

"Her Majesty's cruiser *Royalist* has been cruising among the Solomon Islands and inflicting punishment on the natives for outrages committed on British subjects there. . . . Chief Tono refused to give up the criminals, and accordingly Captain Davis, commanding the *Royalist*, landed with a party of 25 bluejackets and attacked Tono's village, which was set fire to and destroyed; Tono was killed";

and whether the Admiralty have now received any information on the subject; and, if so, whether he will cause inquiry to be made as to the alleged cruise among the Solomon Islands and the operations there?

LORD G. HAMILTON: I understand that the *Royalist* was at the Solomon Islands about the beginning of August last, but the Admiralty have received no report of her having inflicted any punishment on natives for outrages. If

any action of the kind occurred the particulars will be communicated by the Commander-in-Chief in due course.

DR. CAMERON: May I ask the right hon. Gentleman whether he means to say that the statement made in the *Times* is unfounded?

LORD G. HAMILTON: I do not go so far as that. As communication is slow with the station referred to, it may be the case that something has occurred of which we have not received full information.

DR. CAMERON: I beg to give notice that I will repeat this question.

LOUISBURG PIER.

DR. TANNER: I beg to ask the Secretary to the Treasury whether any, and, if so, what, steps will be taken to make Louisburg Pier, County Mayo, of some practical use to the inhabitants of the locality?

*THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): I am informed that this pier is vested in the county, and it is, therefore, not for the Treasury to take action.

BALLINCOLLIG POWDER MILLS.

DR. TANNER: I beg to ask the Financial Secretary to the War Office whether the gunpowder barrels used at Ballincollig (County Cork) Powder Mills are all imported from English Government factories; and whether he is aware that such importation has thrown out of work a large number of the Ballincollig coopers? And I would further ask the right hon. Gentleman if he is aware that this question intimately affects ten families, including 108 persons?

*MR. BRODRICK: Powder barrels have up to this time been issued from Government stores to the Ballincollig Mills, as in the case of all contract powder received from mills in England and Scotland. No change has been made which could cause the throwing out of work of coopers at Ballincollig. I may perhaps add that, judging from certain samples which have been forwarded from Ballincollig, there will be no objection to give the Company an opportunity, if they obtain further contracts for powder, to quote a price for barrels as well.

DR. TANNER (Cork Co., Mid): I would ask the hon. Gentleman if he is aware that that promise was made two years ago, and I would ask him how it comes to pass that it has not been carried into effect, but has remained in abeyance for upwards of two years?

*MR. BRODRICK: I was not aware that such a promise had been made; but samples have been obtained, and the hon. Gentleman may rest assured that the promise will be carried out.

THE ALLOTMENTS ACT, 1887.

MR. COBB: I beg to ask the President of the Local Government Board whether a loan contracted by a Rural Sanitary Authority for the purchase, under "The Allotments Act, 1887," of land for allotments for any particular parish, is ultimately repayable, first as to principal, and secondly as to interest, out of the rates of the whole rural sanitary area, or out of the rates of the parish only for which the allotments have been provided, in the event of there being a deficiency after applying all receipts in respect of the allotments which are properly applicable towards the repayment of such loan and interest; and whether the security for the repayment of such loan to the lender is upon the rates of the whole rural sanitary area?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The principal of a loan contracted by a Rural Sanitary Authority for the purchase under the Allotments Act, 1887, of land for allotments for any particular parish and the interest in respect of the loan during its continuance are payable out of the rates of the parish for which the allotments have been provided. The security for the repayment would be the rates of the parish, and not the rates of the whole rural sanitary district.

THE SANITARY COMMISSIONERS OF GIBRALTAR.

MR. CAUSTON (Southwark, W.): I beg to ask the Under Secretary of State for the Colonies whether he will state what is the annual expenditure of

the Board of Sanitary Commissioners of the City and County of Gibraltar, and from what sources and in what proportions is the income derived; and what is the rateable value of property, and what is the proportionate representation of the ratepayers on the Board as constituted under the Sanitary Order Amendment Order (Gibraltar), 1891, and how are the members elected?

BARON H. DE WORMS: The expenditure of the Sanitary Commissioners in 1890 was £28,031. Their income is derived from rates levied, sale of water, fees for use of baths; and the receipts from rates in 1890 were £10,649, and the receipts from the sale of water average over £10,000 a year. Private ratepayers contribute rather less than two-fifths of the receipts from water, and two-thirds of the receipts from rates. The total rateable value is about £144,000. The private ratepayers are represented on a Board of nine—by four members nominated by the Governor, one from the list of the Grand Jury, one from the list of special jurors, and two from the list of the common jurors.

THE "SUBMARINE SENTRY."

MR. KIMBER (Wandsworth): I beg to ask the First Lord of the Admiralty whether his attention has been drawn to the "Submarine Sentry," recently described in the principal papers and reported upon by special representatives of some of them, as a means of giving warning to ships of the proximity of shallow waters, and so of saving life and property at sea; and, if so, whether his examination has enabled him to decide whether it might afford a means of averting the calamity and loss occasioned by the occasional stranding of Her Majesty's ships, or to what other result has his inquiry led?

LORD G. HAMILTON: The "Submarine Sentry" has been experimented upon in some of Her Majesty's surveying ships, and seems to promise to be useful in searching for dangers; but it is not considered, in its present form, a necessary or desirable adjunct to Her Majesty's ships for the purposes of navigation.

THE INTERNATIONAL GEODETIC BUREAU OF VIENNA.

MR. KIMBER: I beg to ask the First Lord of the Admiralty whether he has, during the past two years, been advised by either of Her Majesty's Astronomers Royal that it would be highly advantageous, in the interests of commerce and navigation as well as science, that Great Britain should join the other European nations in the International Geodetic Bureau of Vienna, the object of which is the collection and collation of *data*, from the surveys of all nations, as to the mass of the earth, its form and dimensions, tides, levels, &c., and costs the small sum of £100 per annum; and on what grounds, if any, the Government have not so joined?

LORD G. HAMILTON: I have received no communication from the Astronomer Royal on this subject during the past two years. As to the reasons why Her Majesty's Government did not join the International Geodetic Bureau, I would refer the hon. Member to the answer given by the Chancellor of the Exchequer on the 21st March this year.

THE CASE OF DR. GALLAGHER.

MR. P. O'BRIEN: I beg to ask the Secretary of State for the Home Department whether Dr. Gallagher, at present confined in Portland Prison, suffers from insanity; whether he is aware that a brother of Dr. Gallagher is at present a dangerous lunatic in America, and that insanity is hereditary in the family, and whether, under the circumstances, he will allow an independent medical man to examine Dr. Gallagher, or will he consider the advisability of releasing him on condition that he returns to his family in America?

MR. MATTHEWS: I have received a Report, dated yesterday, from the medical officer of Portland Prison, who informs me that he finds no indications of mental unsoundness in Gallagher; that he is perfectly rational; and that he has never, while in prison, shown signs of mental degeneration. I see no reasons for allowing an independent medical examination, and I cannot advise the release of the prisoner. I have

no information as to the second paragraph of the question.

MR. P. O'BRIEN: As I got my information from a fellow-prisoner, who told me Dr. Gallagher was suffering from melancholia or some form of insanity, I would ask the right hon. Gentleman if he will make further inquiries? Is it not a fact that the right hon. Gentleman did allow other doctors than the medical officers of the prison to see Dr. Gallagher?

MR. MATTHEWS: I must ask the hon. Member to observe that my information on this subject does not come from common talk amongst persons in the gaol, but from a careful and most deliberate Report made by the medical officer of the prison.

MR. P. O'BRIEN: I would ask the right hon. Gentleman whether it was not common talk that led to an inquiry as to the weak state of health of O'Donovan Rossa, and whether his infirmity was not denied on the authority of the medical officers at the time, just the same as in this case?

MR. J. E. REDMOND: Will the right hon. Gentleman tell us how many of those prisoners have become insane since their conviction some years ago?

MR. MATTHEWS: I have answered that question, or a similar one, several times.

MR. J. O'CONNOR: Might I ask the right hon. Gentleman whether it is not the fact that Dr. Gallagher was reported by the Visiting Committee to have been suffering from insanity three years ago?

MR. MATTHEWS: I am not aware of any such report; but if the hon. Member will put the question on the Paper, I will inquire.

MR. P. O'BRIEN: If I drew attention to the mental state of an English prisoner, whom I allege to be insane, would the right hon. Gentleman get his information from the same source as that to which he applies in the case of Dr. Gallagher? In one case it was found out afterwards that the prisoner was mentally wrong as had been stated, and he was ordered to be removed to the Asylum. I ask the right hon. Gentleman how he can now rely on the Report of the medical officer of the prison in view of cases that have occurred before?

MR. SPEAKER: Order, order!

MR. T. P. O'CONNOR: I wish to ask the Home Secretary, with reference to Question 64, whether as it is notorious in America that there is insanity in the family of Dr. Gallagher, he will follow the precedent he has followed in other cases, and allow an independent medical inquiry if the expenses are paid by the parties interested?

MR. MATTHEWS: I should prefer not to give a definite answer to that question without notice. At present it strikes me that the circumstances are quite different to those in the case in which I allowed an independent medical examination. In that case there was undoubted illness of a grave character, and it was to calm the distress and anxiety of the friends of the prisoner that I allowed an independent medical man to see him. Here I see no ground for investigation by anyone.

MR. T. P. O'CONNOR: It is exactly to calm the distress of the friends of the unfortunate man in America that we are asking for an independent medical inquiry into the case.

MR. MATTHEWS: The hon. Member omits the most important circumstance, that in the other case there was ground for alarm, but in this there is absolutely none.

MR. P. O'BRIEN: I would ask the right hon. Gentleman whether, in a case of insanity which has recently been brought under his notice, the official medical officer said there was no insanity, but that it afterwards turned out that there was? Was not the second examination in consequence of a question put in this House; and, for that reason, does he not think it desirable that some independent medical man should examine the prisoner, and the expense be borne by the authorities?

MR. MATTHEWS: I cannot follow the reasoning of the hon. Gentleman. Will he put a question down on the Paper?

FAIR RENT APPEALS.

MR. SEYMOUR KEAY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what number of fair rent appeals lodged on or before 1st June, 1891, remained undisposed of at or near the date when the Land Pur-

chase Act of 1891 was passed; and what number of the same appeals now remain undisposed of approximately, according to the latest information?

*MR. JACKSON: The Irish Land Commissioners report that the total number of fair rent appeals up to 1st June, 1891, and which remained undisposed of at the passing of the Purchase Act of 1891 was 14,950. Of these 1,840 were subsequently disposed of, leaving outstanding on the 29th February of the present year 3,110.

LABOURERS' COTTAGES IN THE BANDON UNION.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and, if so, what, steps are being taken for the erection of labourers' cottages in the Bandon Union under what is locally termed the new scheme; whether he is aware that on the last occasion of the meeting of the Board, it was stated the scheme has been dropped for six months; and if he will state how often and for what periods this business has been adjourned, and if any steps will be taken to provide the labourers in this Union with the houses and allotments proved necessary?

*MR. JACKSON: Under the original scheme submitted by the Bandon Board of Guardians 125 labourers cottages have been provided in that Union. Representations were subsequently made to the Guardians for the erection of additional labourers cottages. The question has been postponed from time to time by the Guardians, and at their meeting last week they appear to have adjourned the matter for a further period of six months.

DR. TANNER: I would ask the right hon. Gentleman if he has borne in mind the fact that this has been so repeatedly adjourned.

*MR. JACKSON: I think the hon. Member is under a misapprehension with reference to my power with the Board of Guardians.

DR. TANNER: Is the right hon. Gentleman aware that as Chief of the Local Government Board he has power in this matter, and is he also aware that this is a thoroughly Conservative

Board of Guardians, a real old Tory Board?

*MR. JACKSON: No, Sir, I have no power to interfere unless some representations are made to me by the Local Government Board. I was not aware of the composition of this Board of Guardians from a political point of view, but I am very glad to hear that it is as the hon. Gentleman has stated.

THE SALE OF SPIRITUOUS LIQUORS TO NATIVE RACES.

MR. SUMMERS (for Sir WILFRID LAWSON, Cumberland, Cockermouth): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to a conference between British merchants interested in the African trade and Members of Parliament, which was held at the House of Commons on the 11th March, at which it was stated, on behalf of the merchants, that "they could not do without sending a certain amount of spirits out with the cotton goods;" and whether he will take whatever steps are in his power to prevent the policy endorsed unanimously by a Resolution of this House (April, 1888), condemning the sale of spirituous liquors to Native races, being set at naught?

BARON H. DE WORMS: My attention has been drawn to the Report referred to. I can assure the hon. Baronet that there is no intention of departing from the pledge I gave on behalf of the Government in April, 1888, to which he refers, and which was again confirmed by the Secretary of State in another place in 1889. So long as other countries have contiguous possessions through which spirits can be imported it is impossible for us to suppress the traffic. We already levy in our Colonies duties on spirits greatly in excess of those imposed in the neighbouring French and German Colonies, and also higher than the tariff laid down in the Act of the Brussels Conference.

MR. JUSTICE NORTH'S COURT.

MR. LEWIS FRY (Bristol, N.): I beg to ask the Attorney General whether he is aware that the case of "Eliot and others v. the Mayor and Corporation of Bristol," set down for

hearing in Mr. Justice North's Court in July, 1891, is still unheard, and that only about one-third of the cases then set down before it for hearing have been disposed of; and will he explain why the case, which has for some time been marked as fit for transfer to the Queen's Bench Division, has not been so transferred?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER, Isle of Wight): In answer to the question of the hon. Member I have to say that from information furnished to me it appears that at the date when the action referred to was set down for trial there were 53 actions standing before it in the list, and that 28 of these still remain to be tried. The delay has been due to the fact that some exceptionally heavy causes, one of which lasted no less than 20 days, have had to be disposed of. The marking of a case as fit for transfer does not imply more than that if the state of business in the Queen's Bench Division permits the action will be transferred for trial to that division. The unavoidable absence through illness of three Chancery Judges, and the consequent necessity for trying ordinary Chancery causes by a Judge of the Queen's Bench Division, rendered it undesirable to transfer causes to the Queen's Bench Division at the present time, but I may add that it was open to the plaintiff, had he so desired, to have commenced his action in the Queen's Bench Division, in which case the trial would probably have taken place at an earlier date.

THE CHICAGO EXHIBITION.

MR. J. O'CONNOR: I beg to ask the Attorney General whether he intends to recommend the Government to apply to Parliament for a further sum of money for the purposes of the Commissioners of the British and Irish section of the Chicago Exhibition; and whether he has taken any steps with the Commissioners to have a separate grouping of Irish exhibits, under distinctively Irish management or sub-management, with a separate sum set apart for the purposes of Irish exhibitors?

SIR T. ESMONDE: I beg to ask the Attorney General whether the Government will agree to an increase of

the funds available for the organisation of a representative exhibition of Irish industries at the Chicago Exhibition; and, if so, to what amount; and whether in consideration of the strong feeling in Ireland in favour of a separate Irish section at the World's Fair the Government will favourably consider the proposal?

SIR R. WEBSTER: In reply to the questions of the hon. Member for Tipperary and the hon. Baronet the Member for Dublin, the Royal Commission for the Chicago Exhibition have presented a memorial to Her Majesty's Government asking for a substantial increase of the amount to be granted in connection with the British section. The Commission have carefully considered the question of a separate Irish section and separate management for Irish exhibits, and they are in communication with leading gentlemen from Ireland upon the subject. At present, however, the feeling of Irish exhibitors appears to be that it would not be desirable to have the Irish exhibits separately grouped, and that it would be distinctly unfavourable to the exhibitors for that course to be adopted. The matter is, however, receiving careful consideration.

MR. J. O'CONNOR: I would like to ask the hon. and learned Gentleman how soon he will be able to give us the information he has promised, and I would also like to know whether it is intended to add to the Commission any representatives of Irish industries?

*SIR R. WEBSTER: The matter really cannot be determined until all the exhibits have come in. It is quite possible there may be some things which it will be desirable to localise and others which may be otherwise dealt with, but there can be no final determination in this matter in the meantime. As to the other question I have received no notice of it, but in reference to adding to the Commission gentlemen representing Irish industries, that matter will be carefully considered on the re-election of the Council in May.

ELECTION EXPENSES.

MR. BRAND (Cambridge, Wisbech): I beg to ask the Attorney General whether, in consideration of the

proximity of the General Election, expenses incurred by Parliamentary candidates at the present moment come within the meaning of the "Corrupt and Illegal Practices Prevention Act, 1883," and should be included in the Return made to the returning officer, in accordance with Section 33 of the said Act?

SIR R. WEBSTER: The question of the hon. Member implies that the date at which the expenses are incurred is the only important consideration. This is not the fact, as, according to the "Corrupt and Illegal Practices Prevention Act, 1883," if expense is incurred "on account of or in respect of the conduct or management of an election" such expense must be included in the maximum amount allowed. The question is in every case one of fact as to whether the expenses fall within the description to which I have referred—namely, of expenses "relating to the conduct or management of an election." I am afraid that no other general answer can be given.

MR. COBB: I would ask the hon. and learned Gentleman whether a sitting Member is responsible for these expenses?

SIR R. WEBSTER: There is no difference in the case of a sitting Member and a candidate.

LONDON COUNTY COUNCIL AND THE ANNUITY SYSTEM.

MR. J. STUART: I beg to ask the First Lord of the Treasury what are the grounds on which Her Majesty's Treasury has declined to sanction a loan of £5,000 by the London County Council to the Free Library Commissioners of Shoreditch repayable on the annuity principle, in view of the fact that the approval of the Local Government Board was obtained to the loan on an estimated expenditure for repayment calculated on the annuity principle, and that the same method of repayment was also proposed by the London County Council?

MR. GOSCHEN: The Treasury has not declined to sanction a loan of £5,000 by the London County Council to the Free Library Commissioners of Shoreditch. It was proposed that the loan should be repaid in certain terms of years under the annuity system, and

Sir T. Esmonde

the Treasury sanctioned the proposed terms provided that repayment were made upon the instalment system in place of the annuity system. This course was taken in accordance with the principles laid down in the Treasury letter of 24th February to the London County Council as those which should be adopted pending a settlement of the general question. One of the considerations which the Treasury took into account was the opinion of those members of the London County Council who, I think the House will agree, may rightly be regarded as the highest financial authorities among its members. I understand that the sanction of the Local Government Board was given merely to the raising of the money and not to the particular method of repayment.

THE CARRIAGE OF IRISH MAILS.

MR. KNOX (Cavan, W.): I beg to ask the Postmaster General whether he will consider the advisability of using the Cavan, Leitrim, and Roscommon Light Railway for the carriage of mails, which are now delayed for nearly a day at each end of the line and then conveyed by car; what was the sum demanded by the Railway Company and what was the sum offered by the Post Office for the conveyance of mails over the 50 miles of the company's line when the question was previously considered; and what is the present cost of the conveyance of mails from Belturbet and Dromod respectively to the various stations on the company's line?

SIR J. FERGUSSON: The Post Office desired to employ the railway in question for certain day mails, but failed to come to terms. The Post Office offered full parcel rates to the company, which would amount to about £21 a year. The company asked £90. The company could only relieve the present service to a limited extent. The present cost of conveying the mails to the district is £309 a year.

THE BRITISH MUSEUM.

COLONEL BRIDGEMAN (Bolton): I beg to ask the Secretary to the Treasury whether there is any objection to keeping the British Museum open to the public in the afternoon till the same hour as the Branch

Museum at South Kensington is kept open?

*SIR J. GORST: I am advised by the trustees of the British Museum that the desired extension of hours could not be carried out without increase of expense; and in view of the great cost of the evening opening, which, to judge by the attendance, does not seem to be as fully appreciated by the public as might have been hoped, they are not disposed to recommend further outlay.

MARINE BOILERS.

MR. MATHER (Lancashire, S.E., Gorton): I beg to ask the First Lord of the Admiralty whether he will enlarge the scope of the instructions to the Committee of eminent engineers which he has appointed to examine and report on the construction of boilers for the Navy, in the following directions, namely, to conduct on land a series of trials with a boiler worked with forced draught, and constructed so as to be similar and equal as to design, materials, and workmanship to the best boilers now used in the Navy, with the view of ascertaining the efficiency and maximum power of endurance of the same; to conduct on land a similar series of trials with a boiler or boilers embodying all the improvements that may be recommended by the Special Committee, in order that these may be tested under the greatest possible stress to which a boiler can be subjected at full racing speed; and to exhaust, by practical tests on land, all other questions that have arisen out of the shortcomings of the present boilers when worked with forced draught; and whether he is aware that similar exhaustive trials to those here suggested were made to establish the best design and construction of the so-called "Lancashire" boilers, before their present high efficiency and durability were obtained?

LORD G. HAMILTON: I am obliged to the hon. Member for his suggestion to put marine boilers to the same practical test which, in his own experience, he found to be of value in testing the Lancashire boilers. The proposals in question, with others, will be referred to the Committee for con-

sideration, and any experiments they recommend will, as far as practicable, be carried out.

THE CASE OF MICHAEL CRONIN.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether his attention has been called to the case against Michael Cronin, indicted at the Cork Assizes on the 21st instant on the charge of having stolen four head of cattle, the property of the Earl of Kenmare, in which the accused defended himself on the ground that it was an act of reprisal on the Earl of Kenmare for having made three distrains of his father's cattle; and was the case tried under the Criminal Law and Procedure Act, and what was the result of the trial; and, if so, why was it not tried under the ordinary law?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am informed that the suggestion contained in the first paragraph of the question was put forward on behalf of Cronin. The accused, however, pleaded guilty to the charge of larceny, and was sentenced to three months' imprisonment, and was bound over to be of good behaviour for three years. Two seizures were made in respect of four years' arrears of rent. The venue was changed to the City of Cork, but the case was investigated by the Magistrates, and subsequently dealt with at the Assizes under the ordinary law.

KINSALE PIER LOAN.

MR. FLYNN: I beg to ask the Secretary to the Treasury, in connection with the construction of Kinsale Pier, what was the amount of the original sum advanced by the Board of Works; if he can state at what rate was the amount to be repaid, naming principal and interest; what rate of interest was charged on the loan; and how much has been paid by the Kinsale Town and Harbour Commissioners?

*SIR J. GORST: The sum advanced was £11,352 15s. 1d.; £630 of this principal sum was repaid, leaving a balance of £10,722 15s. 1d. This sum, with £337, arrears of interest at five per cent., constitutes the total of £11,059 15s. 1d. to be repaid under the

award. There has been no repayment of principal made under the award; but £700 has been paid in respect of arrears of interest.

MR. FLYNN: Will the right hon. Gentleman give me a copy of his answer, as I was not able to take down the figures?

LOCAL GOVERNMENT BOARD MEDICAL INSPECTORS.

MR. S. T. EVANS (Glamorgan, Mid.): I beg to ask the President of the Local Government Board whether he is aware that the Medical Inspectors of the Board in Wales are unable to speak the Welsh language; and whether, in future appointments of such Inspectors, he will select persons, otherwise well qualified, who will be conversant with the language?

MR. RITCHIE: It is only for the purpose of vaccination inspections that districts are assigned to the Medical Inspectors of the Local Government Board, and officers who act in Wales take English counties as well. As regards the general duties of the Inspectors, it is the practice to select for each inquiry the Inspector who appears to be best fitted for the duty, having regard to the engagements of the other members of the staff. At the same time I may say that in the event of my having to fill up an office where the duties of the officer would chiefly be in Wales, and I had before me two candidates who, apart from the question of the Welsh language, were in all other respects equally well qualified for the position, I should be willing to give the preference to the candidate with a knowledge of the Welsh language.

CONVICTIONS OF CLERGYMEN.

MR. S. T. EVANS: I beg to ask the Secretary of State for the Home Department how many clergymen of the Church of England have been convicted of treason or felony, or convicted on indictment of a misdemeanour, and sentenced to death or penal servitude or to imprisonment with hard labour during the last seven years; and whether, before the Second Reading of the Clergy Discipline (Immorality) Bill is moved, he will lay upon the Table of the House a Return for such period of seven years showing all such

convictions, with particulars of the offences and sentences?

MR. MATTHEWS: I am unable to answer the first paragraph. The Return asked for would involve a lengthy and expensive investigation, and the information is not necessary for the consideration of the Bill.

BUSINESS OF THE HOUSE.

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): It would be convenient for Treasury reasons that the Royal Assent should be given to the Consolidated Fund Bill to-morrow. I therefore move, "That this House do meet To-morrow, at a quarter after Ten of the clock," it being, of course, understood that it will be for the purpose of receiving the Royal Assent, and that no other business will be transacted.

Motion agreed to.

Resolved, That this House do meet To-morrow at a quarter after Ten of the clock a.m.—(MR. A. J. Balfour.)

MR. J. MORLEY (Newcastle-upon-Tyne): May I ask the right hon. Gentleman what Supply is intended to be taken to-morrow, and what are the arrangements for taking the Scotch Equivalent Grant Bill?

MR. A. J. BALFOUR: If we are fortunate enough to get the Speaker out of the Chair to-morrow afternoon, we should proceed with the Civil Service Estimates in Committee. The arrangement with regard to Thursday, which I sketched to the House last week, still holds good, and will be for the general convenience of Scotch Members.

Later, the right hon. Gentleman said: I ought, perhaps, to state that I answered the question of the right hon. Gentleman the Member for Newcastle on the assumption that we finish the Second Reading of the Indian Councils Bill to-night, of which I have no doubt.

ROYALTIES ON GOLD MINES.

MR. LLEWELLYN (Somerset, N.): I beg to ask the Chancellor of the Exchequer a question, of which I have given him private notice—namely, whether is a fact that the royalty on the Morgan Mine has been reduced from

one-thirtieth to one-hundredth; that the Government have withdrawn the Sheriff's officers from Mr. Pritchard Morgan's property, and have consented to allow the question of payment of costs to remain in abeyance pending the issue of the Report of the Royal Commission, and whether he has any information as to the alleged dismissal of men from Welsh gold mines?

MR. GOSCHEN: I have, as the result of communications which have passed between myself and the directors of the Morgan Mine, agreed that the royalty charged upon the product of the mine shall be at the rate of 100th until the Commission on Mining Royalties has reported. The ore which has recently been won at the Morgan Mine is of a low grade, and under the sliding scale which has been offered to the directors of the mine, but not accepted by them, would have been charged with royalty at the rate of 100th. I have made this concession, not because the sliding scale which was offered is inequitable, but to secure a *modus vivendi* until the whole question can be considered in the light of the Report of the Royal Commission. I have, at the request of several Members of the House, consented to postpone the execution upon Mr. Pritchard Morgan's goods; and, in order that this postponement might take place, he has signed a binding agreement undertaking to allow the Sheriff to re-enter under the same writs. I have agreed that this postponement shall be made, not until the Report of the Mining Royalties Commission is received, but to allow time in which the hon. Member may be persuaded to allow better counsels to prevail with him with reference to such payment. I understand that the workmen who have recently been dismissed from the Morgan Mine were not in Mr. Pritchard Morgan's employment, and their dismissal had, as I have been assured by a director, no connection with the steps taken by the Government to recover costs from Mr. Pritchard Morgan.

MR. A. O'CONNOR: May I ask the Chancellor of the Exchequer whether the Treasury will be willing to extend to the gold mining industry in Ireland the same terms as those which have been granted to Wales?

MR. GOSCHEN: Under the sliding scale, if there is any mine in Ireland where the hundredth part will secure the working of the mine, I shall be glad to grant the same terms.

SMALL HOLDINGS BILL.

MR. WINTERBOTHAM (Gloucester, Cirencester): May I ask the right hon. Gentleman if he will state that it is not intended to take the Small Holdings Bill to-night?

MR. A. J. BALFOUR: I think I can say that we do not propose to take it before next Monday, and to take it from next Monday as continuously as the business will allow. It is convenient to hon. Members that they should have a little time to put down Amendments.

IRISH LOCAL GOVERNMENT BILL.

MR. SEXTON: Does the right hon. Gentleman intend to move the Second Reading of the Irish Local Government Bill before Easter?

MR. A. J. BALFOUR: That must depend on the progress of the Committee on the Small Holdings Bill; if we make as much progress as I hope for, we shall take it before Easter.

CLERGY DISCIPLINE BILL.

MR. F. S. POWELL (Wigan): May I ask the right hon. Gentleman whether he intends to proceed with the Clergy Discipline Bill this evening?

MR. A. J. BALFOUR: I hope so, if we should finish the Indian Councils Bill in sufficient time to make it worth while to bring it on.

ORDNANCE FACTORIES BILL.

MR. J. MORLEY: When will the right hon. Gentleman go on with the Ordnance Factories Bill?

MR. A. J. BALFOUR: I may put it down for to-morrow, as the Debate is nearly exhausted.

EVICCTIONS AT GWEEDORE.

MR. MAC NEILL: May I inform the Chief Secretary for Ireland that I have to-day received a telegram from one of the parish priests at Gweedore, and ask him whether it is true that a relieving officer has received notice of the imminent eviction of sixteen families on the estate of Mrs. Orr; and

whether, having regard to the fact which I have brought to the notice of the House that the cause of the eviction is merely the question of costs between landlord and tenant, he will not allow the Forces of the Crown to be employed?

*MR. JACKSON: I have no information with reference to this case except that which the hon. Gentleman has just given to me. Of course, I can make no promise as to what protection will be afforded if it be applied for.

MR. MAC NEILL: Will the right hon. Gentleman allow me to put documents before him which will show the terrible harshness in the case?

*MR. JACKSON: If the hon. Gentleman desires to put any information before me, of course I will examine it.

ORDER OF THE DAY.

INDIAN COUNCILS ACT (1861) AMENDMENT BILL—[Lords]—(No. 182.)

SECOND READING.

Order for Second Reading read.

*THE UNDER SECRETARY OF STATE FOR INDIA (MR. CURZON, Lancashire, Southport): I am glad, Sir, at this early period of the Session, to be able to introduce to the notice of the House a Bill which, if carried into law, will, I believe, be fraught with advantage to the interests of our fellow-subjects in India. It is sometimes said, Sir, that this House bestows but a scant and reluctant concern upon the interests of the millions of India. And yet I am not sure that this alleged indifference of the many, if it be true, which I do not altogether accept, is not more than compensated for by the vigilant and uncompromising attention of the few, whilst I have heard it stated on high authority that the greater interference of this House in the government of India might not be a source of unmixed benefit to that country. However that may be, Sir, I hope that this Bill will be one that may approve itself to both sections of opinion in this House—both to those hon. Members who may not have direct and personal experience of India, and to that smaller section who, either from long residence there or from official experience, are emphatically entitled to

speak on Indian questions, and whose interference in our debates is always welcome. And perhaps I may be permitted to take this opportunity of expressing the regret which I am sure has been felt on both sides of the House at the disappearance from among their number of the omnivorous intellect of the late hon. Gentleman the Member for Kirkcaldy (Sir George Campbell). The object of this Bill which it is my duty to explain to the House is to widen the basis and to expand the functions of government in India; to give further opportunities than at present exist to the non-official and native elements in Indian society to take part in the work of government, and in this way to lend official recognition to that remarkable development both of political interest and political capacity which has been visible among the higher classes of Indian society since the Government of India was taken over by the Crown in 1858. In form this Bill is one to amend the India Councils Act of 1861. Legislative powers of some sort or other, but powers of somewhat confused character and conflicting validity, have existed in India for a very long time. They existed under the rule of the old East India Company, dating from the times of the Tudor and Stuart sovereigns; but the modern legislative system, under which the Government of India exists, owes its origin to the Viceroyalty of Lord Canning, and the Secretaryship of State of Sir Charles Wood, afterwards Lord Halifax, who in 1861, carried through the House the India Councils Act of that year. I may, perhaps, in starting, be permitted to remind the House briefly of the provisions of that Act, as they are the basis on which we are now attempting to proceed. The Act of 1861 constituted three Legislative Councils in India—the Supreme Legislative Council of the Viceroy and the Provincial Legislative Councils of Madras and Bombay. The Supreme Legislative Council of the Viceroy, or, as it is called in the terms of the Act, the Council “for the purpose of making laws and regulations only,” consists of the Governor General and his Executive Council, with a minimum of six and a maximum of

twelve additional Members who are nominated by the Governor General, and of whom at least one-half must be non-official, whether drawn from the European or the native element. The Legislative Councils of Madras and Bombay are also recruited by a minimum of four and a maximum of eight additional Members who are nominated by the Provincial Governor, and of whom at least one-half must be non-official. Since the passing of that Act, Sir, Legislative Councils have been called into existence for Bengal and the North-West Provinces. In Bengal the Council consists of the Lieutenant Governor and twelve nominated Members, and the Council of the North-West Provinces consists of the Lieutenant Governor and nine Councillors, of whom, in each case, one-third must be non-official. Such is the constitution of the legislative machinery which has existed during the past 30 years. This system has undoubtedly worked well. It has justified itself and the anticipations of its promoters. Operating to a very large extent through the agency of special committees composed of experienced persons, it has proved to be an efficient instrument for the evolution of laws. The publicity which has attended every stage of its proceedings has had a good effect. A number of native gentlemen of intelligence, capacity, and public spirit have been persuaded to come forward and lend their services to the functions of Government, and undoubtedly the standard of merit in these Legislative Councils has stood high. Indeed, I would venture to say that few better legislative machines, with regard to their efficacy for the particular object for which they were constructed, are anywhere in existence, nor can better legislation produced by such bodies be found in any other country. At the same time, these Councils have been subject to restrictions and limitations which were intentionally, and I think wisely, imposed upon them in the first place. The House must recognise that they are in no sense of the term Parliamentary bodies. They are deliberative bodies with a comparatively narrow scope, inasmuch as they only assemble for the discussion of the immediate legislation which lies before them, and are not per-

mitted to travel outside that very circumscribed radius. I will take the instance of financial discussion. In these Councils no financial discussion is possible unless there is a proposal for a new tax, and then it can only be in connection with the immediate legislative proposal before the Council for the time being. Under these circumstances it has been felt that there has been wanting to the Government an opportunity of explaining its policy and of replying to hostile criticism and attack, such as a less restricted system of discussion would provide; and that at the same time there was wanting an opportunity to the non-official element, to those who may legitimately call themselves the guardians of the public interest, of asking for information, stating their grievances, and becoming acquainted with the policy of the Government. These feelings have been expressed in many memorials which have been addressed over a large number of years to the Government of India by important public bodies and associations in India. They have been further testified to by successive Viceroys. Lord Dufferin, in a speech which he delivered at Calcutta in February, 1887, the occasion being the celebration of the Queen's Jubilee, spoke of the desirability of reconstituting the Supreme Legislative Council of the Viceroy on a broader basis, and of enlarging its functions. And in the November of the following year he sent home a despatch, extracts from which have been published in a Parliamentary Paper, in which he recommended in the first place a yearly financial discussion in the Supreme Legislative Council of the Budget of the year. And, Sir, inasmuch as his words are of very great importance, and will, of course, carry deserved weight in this House, I hope the House will pardon me if I read some portions of it. Lord Dufferin said:—

"I do not mean that Votes should be taken in regard to the various items of the Budget, or that the heads of expenditure should be submitted in detail for the examination of the Council, but simply that an opportunity should be given for a full, free, and thorough criticism and examination of the financial policy of the Government. Some such change as this would, I think, be as beneficial to the Indian administration as it would be in ac-

cordance with the wishes of the European and native mercantile world of India. I present the Government is exposed to a kind of misapprehension and misrepresentation in regard to its figures and the state of their results. Were the matter to be into thoroughly and exhaustively on the occasion I suggest by independent critics, however anxious to detect a flaw and the Government wrong, would be master their subject and cognisant of the intricacies of Indian administration, the result would be more advantageous to the financial reputation of the Indian Government, as well as conducive to improve her financial system than the perfunctory Debates of the House of Commons, and the imperfect criticism of Indian finance by some English newspaper.

In the same despatch Lord Dufferin expressed the opinion that questions should be asked in the Supreme Legislative Council, subject to certain restrictions, upon matters of domestic interest distinguished from matters of Imperial interest. At the end of 1888, Lord Dufferin left India, and was succeeded by the eminent statesman who now holds that office. Quite early in the Viceroyalty, in a speech delivered to the Legislative Council in March 1889, Lord Lansdowne signified his approbation of the annual discussion of the Budget in the manner suggested, and also of the right of addressing questions to the Government on matters of public interest. Both these proposals were accepted by the Secretary of State in a Despatch dated August, 1889, not merely as referring to the Supreme Legislative Council of the Viceroy but also in reference to the Provincial Councils. In the same Despatch my noble Friend also signified his desire for an enlargement of the representation of public opinion in India by an addition to the number of members on these Councils by means of an extension of the present system of nomination, and, inasmuch as these changes were found to be impossible without fresh legislation, he also included a draft Bill upon which he invited the opinions of the Government of India and of the several Provincial Governments. These views and other suggestions were received from India, and they were found on the whole to be eminently favourable to the contemplated measure. From these germs sprang the Indian Councils Bill which it is now my privilege to introduce to the notice of

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this House. Now, a few words as to the Parliamentary history of this measure. It has been in no ordinary degree a victim to the vicissitudes of Parliamentary existence. Its career up to this point has been one of mingled success and disappointment. It was introduced for the first time in the House of Lords by the Secretary of State in 1890, and a very important discussion—if I may venture humbly to express the opinion, the model of what such a discussion should be—took place on the Second Reading of the Bill. In Committee a number of important and valuable Amendments were introduced in it by noble Lords who have had experience in the Government of India, and it passed through that House. It came down in the same Session to the House of Commons but did not succeed in getting beyond a First Reading. In the ensuing year, 1891, it was again introduced into this House and again it fell a victim to that fate which hon. Members, according to their political feelings, will be disposed to ascribe to the hardships of fortune or to the immoderate interest displayed by their opponents in other topics of Parliamentary interest. So much for 1891. This year the present Bill, in its amended form of 1890, has again been introduced into the House of Lords, and subject to some speeches implying strong approval from a number of noble Lords it has passed without alteration through its various stages, and thus it comes about that it is now my duty to bring it before the House of Commons. This delay which I have been describing has naturally been the source of considerable disappointment in India, where there has been a good deal of murmuring at the tardy arrival of this long-promised reform, and at the apparent willingness of this House to postpone the consideration of a non-controversial Constitutional change for India to the perennial and unprofitable discussion of changes of a highly controversial character for other parts of the Empire nearer home, which, from the Indian point of view are infinitesimally small and unimportant. I think this disappointment has been a perfectly legitimate feeling, and it undoubtedly has been felt by the noble Lord the present

Viceroy of India, who, having inaugurated his term of office by signifying his hearty approval of this Bill, is naturally looking forward to being able to carry it into execution before the termination of his period of office. This anxiety has been shared in this House, if I may judge from the numerous questions addressed to my right hon. Friend who preceded me in the office I now hold. These feelings of disappointment and interest are, moreover, I believe shared by those who hold more extreme views, and who, while they regard this Bill as in some respects an inadequate measure, are desirous that it should pass into law. In July of last year the British Committee of the Indian National Congress, who may be supposed to be the representatives of extreme views in India, wrote a letter to the Secretary of State in which occurs the following passage—

“They express the deep regret with which they view the withdrawal by Her Majesty’s Minister of the Indian Councils Amendment Bill, and respectfully bring to your notice that bitter disappointment will be caused throughout India by the abandonment for yet another year of any action in a matter of such paramount importance to our Indian fellow citizens.”

In the present year Lord Kimberley, who has himself been Secretary of State for India, has elsewhere expressed himself in the same sense in a paragraph which I propose to read. He says—

“I echo most sincerely the hope that this measure will be pressed by Her Majesty’s Government and will pass into law. It is really a misfortune that a measure of this kind should be hung up Session after Session. However important to us may be our domestic legislation, let us not forget that we have an immense responsibility in the Government of that great Empire in India, and that it is not well for us to palter long with questions of this kind. And I am more desirous that this measure should be dealt with, because I have observed, with great pleasure, that in India the tone has much moderated, and that very sensible views have been expressed at meetings held in India, and there is now reasonable promise that there will be an agreement as to a tentative and commencing measure on this subject. We must not look for it all at once, but if we can make a beginning, I believe we shall lay the foundation for what may be a real benefit, and a real security to our Indian Empire.”

I hope I may draw from the extracts I have read to the House, and from the expressions of opinion to which I have alluded, the inference that this Bill

will be welcomed on both sides of this House, and subject to the expression of opinion by those who hold more advanced views, will as rapidly as possible be passed into law. So much in explanation of the history of the measure and the circumstances under which it falls to my lot to introduce it to this House. Now briefly turning to the Bill itself I will give an outline of the manner in which it is proposed to carry out the recommendations of successive Viceroys and of the present Secretary of State. The changes which it is proposed to introduce by this Bill are broadly speaking three in number. The first is the concession of the privilege of financial criticism both in the Supreme and Provincial Councils; the second the privilege of interpellation or the right of asking questions; and the third an addition to the number of Members in both classes of Councils. First, as regards the financial discussion. I have already pointed out to the House that under the existing law this is only possible when the Finance Minister proposes a new tax. At other times the Budget in India is circulated in the form of a pamphlet and no discussion can take place upon it at all, and as an illustration of the practical way in which this works, I may mention that during the 30 years since the Councils Act of 1861 there have been 16 occasions on which new legislation has been called for and on which discussion has taken place, and there have been 14 on which there has been no discussion at all. In this Bill power will be given for a regular annual discussion of the Budget both in the Supreme and Provincial Councils. It is not contemplated, as the extracts I have read from the Despatch of Lord Dufferin will show, to vote the Budget in India item by item in the manner in which we do it in this House, and to subject it to all the obstacles and delays which Party ingenuity or loquacity can suggest. That is not contemplated, but it is proposed to give opportunities to Members of the Councils to indulge in a full, free and fair criticism of the financial policy of the Government, and I think all Parties will gain by such a discussion. The Government will gain, because they will have an opportunity of explaining their financial policy, of

removing misapprehension, of answering calumny and attack; and they will also profit by the criticism delivered in a public position, and with a due sense of responsibility, by the most competent Representatives of non-official India. The native community will gain, because they will have the opportunity of reviewing the financial situation independently of the mere accident of legislation being required for any particular year, and also because criticism of the financial policy of the Government, which now finds its vent in anonymous and even scurrilous articles in the newspapers, will be uttered by responsible persons in a public position. Lastly, the interests of finance themselves will gain by this increased publicity, and by the stimulus of a vigorous and instructive scrutiny; and the application of the external aid that I have described cannot have any other result than the promotion of sound and economical administration in India. It is now 20 years since Lord Mayo, that wise and enlightened Viceroy, first proposed the submission of Provincial Budgets to the Provincial Councils. At that time he was overruled by the Government at home, which, I believe, was one of the Governments of the right hon. Gentleman opposite. However that may be, I hope both sides of the House will now co-operate in introducing this change, which speaks for itself, and requires no further defence from me. The second change introduced by the Bill is the concession of the right of interpellation, or of asking questions. That is a system with which we are tolerably familiar, and which is sometimes severely attacked in this House. It is not for me to say whether the right is or is not abused, but I have observed that those who denounce the system most savagely when they are its victims, view it with a benevolent regard when they are in a position to become its masters. It is proposed to give to Members of both classes of Councils, the Supreme and Provincial Councils, this right of asking questions on matters of public interest. But both this privilege and the one to which I have previously alluded will be subject, under the terms of the Act, to such conditions and restrictions as may be

prescribed in rules made by the Governor General or the Provincial Governors. In answer to the hon. Gentleman who cheers somewhat ironically, I may observe that we are not altogether unfamiliar with such rules and restrictions in this House, and if they are needed here, where we have, perhaps, the most perfect and highly elaborated system of Parliamentary Government that has ever been known, how much more will they be needed in India, where Parliamentary institutions cannot be said to exist. The merits of this proposal are self-evident. It is desirable in the first place in the interest of the Government, which is at the present moment without the means of making known its policy, or of answering criticism or animadversions, or of silencing calumny, and which has frequently suffered from protracted misapprehension, which it has been powerless to remove; and it is also desirable in the interests of the public, who, in the absence of correct official information, are apt to be misled, and to entertain erroneous ideas, but who, within the limits dictated by the judgment of the responsible authorities, will henceforward have opportunities of making themselves acquainted with the real facts. I hope this liberty may provide a wise and necessary outlet in India for feelings which are now apt to smoulder below the surface because there are no public means for their expression, but which might often be allayed a little if timely information were given from the right quarter. The third proposal is to add to the number of Members on these Supreme and Provincial Councils, and I will state the numbers to which, under this Bill, the Members will be increased. The Supreme Legislative Council consists at present, in addition to its *ex officio* Members, who number seven, of a minimum of six and a maximum of twelve nominated Members, of whom half must be non-official. The Bill proposes to raise the minimum to ten and the maximum to 16. The Madras and Bombay Councils now consist, independently of their four *ex officio* Members, of a minimum of four and a maximum of eight nominated members, of whom half are non-official. In the Bill the minimum is raised to

eight and the maximum to 20. The Council of Bengal consists at present of twelve nominated Members, of whom one third are non-official, and we propose to raise the number to 20. In the North-West Provinces the number is nine, of which one-third are also non-official, and under the Bill the number will be raised to 15. The object of these additions is very easily stated, and will be as easily understood by this House. It is, by extending the area of selection in each case, to add to the strength and representative character of the Councils. The late Mr. Bradlaugh, who at different times introduced two Bills dealing with the reform of the India Councils into this House, proposed in those measures to swell the numbers on these Councils to quite impracticable and unmanageable proportions. Under his first Bill their totals would have amounted to more than 260, and under the second to more than 230. It is within the knowledge of everyone who is acquainted with India that the number of persons who are competent and willing to take part in the functions of these Councils is nothing like adequate to supply the extravagant expectations of those Bills.

MR. SCHWANN: Do the figures just quoted refer to the Councils separately or are they clubbed together?

*MR. CURZON: I was speaking of the five Councils I have mentioned and the totals for those five Councils. As I was saying, you could not get the number of persons; but still, the number is sufficient to justify a not inconsiderable addition to the present totals. Every year the number of native gentlemen in India who are both qualified and willing to take part in the work of Government is increasing, and every year the advantage of their co-operation increases in the same ratio. More especially in the case of the Provincial Councils it has been found that more effective means are needed of reinforcing native and non-official opinion. The Government believe that this moderate addition which they propose to the numbers will have the effect which I contemplate, and at the same time that it will be compatible with efficiency. This House does not need

to be told by me that the efficiency of a deliberative body is not necessarily commensurate with its numerical strength. We have instances in this country of public bodies prevented from working well in consequence of the large number of their members. Overlarge bodies do not necessarily work well. They do not promote economical administration, but are apt to diffuse their force in vague and rapid talk. And if this be true of deliberative bodies in England it is still more true of deliberative bodies in a country like India. I hold in fact that it would be better that competent men should be left outside than that incompetent men should be included. Now we will look at the question of how these additional Members are to be appointed. I notice that the hon. Member for North Manchester (Mr. Schwann) has placed on the Paper an Amendment declaring that no reform of the Indian Councils which does not embody the elective principle will prove satisfactory. But in reply I should like to point out that our Bill does not exclude some such principle, be the method election, or selection or delegation or whatever be the particular phrase that you desire to employ. I would with the permission of the House read the very important Sub-section of Clause 1, which deals with that question:—

"The Governor General in Council may from time to time with the approval of the Secretary of State in Council make such regulations as to the conditions under which such nominations (that is the nomination of additional Members), or any of them, shall be made by the Governor General, Governors and Lieutenant Governors respectively, and shall prescribe the manner in which such regulations should be carried into effect."

I should say that this clause was introduced into the Bill as an Amendment by Lord Northbrook in the House of Lords, and was gladly accepted by the Secretary of State with the avowed object of giving considerable latitude in this respect. Let me call the attention of the hon. Member to the fact that Lord Kimberley has thus expressed himself elsewhere on this Clause:—

"I am bound to say that I can express my own satisfaction because I regard this as to a certain extent an admission of the elective principle."

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On another occasion he said:—

"I myself believe that under this clause it will be possible for the Governor General to make arrangements by which certain persons may be presented to him, having been chosen by election if the Governor General should find that such a system can properly be established."

MR. MAC LEAN (Oldham): Does the Government accept this view of Lord Kimberley?

*MR. CURZON: Undoubtedly the opinions expressed by Lord Kimberley are those which are also shared by the Secretary of State. Under this Act it would be in the power of the Viceroy to invite Representative Bodies in India to elect or select or delegate representatives of themselves and of their opinions to be nominated to those Houses, and thus by slow degrees, by tentative measures, and in a matter like this measures can not be otherwise than tentative, we may perhaps approximate in some way to the ideal which the hon. Member for North Manchester has in view. With respect to the character of such Bodies and Associations as those to which I have alluded, I may mention, only as indicating what may be possible, such Bodies as the well-known Association of the Zemindars of Bengal, the Chambers of Commerce of India, the Municipalities of the Great Cities, the Universities, the British India Association, and perhaps even more important than any, the various great religious denominations in that country. I believe that the House will hold that this method of dealing with the question is a wise method, since it leaves the initiative to those who are necessarily best acquainted with the matter and does not lay down any hard-and-fast rule by which they may find themselves unfortunately bound. I cannot myself conceive anything more unfortunate than that this House should draw up and send out to India a cast-iron elective scheme within the four walls of which the Government would find itself confined, and which, if it proved at some future period inadequate or unsuitable, it would be impossible to alter without coming back to this House and experiencing all the obstacles and delays of Parliamentary procedure in this country. But I am well aware that these proposals may not altogether suit those hon. Members on the other side, whose

ideas of political progress have been formed in the breathless atmosphere of life in the West, and who are perhaps unable to accommodate their pace to the slower movement of life in the East. The hon. Member (Mr. Schwann), for instance, is anxious to have the elective principle more clearly defined and more systematically enforced, and he has placed an Amendment on the Paper, in which he asks the House to signify its opinion that no reform of the Indian Councils which does not embody the elective principle, will be satisfactory to the Indian people, or will be compatible with the good government of India. I venture to say, Sir, that this Amendment is vitiated by a two-fold fallacy, for while, in the first place, the hon. Member affects to speak on behalf of the Indian people, he at the same time entirely ignores the primary conditions of Indian life. When the hon. Member assumes in this House to be the mouthpiece of the people of India, I must emphatically decline to accept his credentials in that capacity. No system of representation that has ever been devised, no system of representation that the ingenuity of the hon. Member can suggest, no system of representation that would stand the test of 24 hours' operation, would, in the most infinitesimal degree, represent the people of India. Who are the people of India? The people of India are the voiceless millions who can neither read nor write their own tongues, who have no knowledge whatever of English, who are not perhaps universally aware of the fact that the English are in their country as rulers. The people of India are the ryots and the peasants, whose life is not one of political aspiration, but of mute penury and toil. The plans and policy of the Congress Party in India would leave this vast amorphous residuum absolutely untouched. I do not desire to speak in any other than terms of respect of the Congress Party of India. That Party contains a number of intelligent, liberal-minded, and public-spirited men, who undoubtedly represent that portion of the Indian people which has profited by the educational advantages placed at their doors, and which is more or less imbued with European ideas;

but as to their relationship to the people of India, the constituency which the Congress Party represent cannot be described as otherwise than a minute and almost microscopic minority of the total population of India. At the present time the population of British India is 221,000,000; and of that number it has been calculated that not more than from 3 to 4 per cent. can read or write any one of their native tongues; considerably less than 1 per cent—about one-fourth or one-third—can read or write English. In the Province of Bengal alone, where the population exceeds 72,000,000, it has been calculated that the maximum constituency created by Mr. Bradlaugh's Bill would have only numbered a total of 870,000. It appears to me that you can as little judge of the feelings and aspirations of the people of India from the plans and proposals of the Congress Party as you can judge of the physical configuration of a country which is wrapped up in the mists of early morning, but a few of whose topmost peaks have been touched by the rising sun. To propose an elaborate system of representation for a people in this stage of development would appear to me to be, in the highest degree, premature and unwise. To describe such a system as representation of the people of India would be little better than a farce. The Government assume the responsibility of stating that, in their opinion, the time has not come when representative institutions, as we understand the term, can be extended to India. The idea of representation is alien to the Indian mind. We have only arrived at it by slow degrees ourselves, through centuries of conflict and storm. Nay, it may be said that it is only within the last 25 years that we have in this country entered into anything like its full fruition. No doubt we are apt to regard popular representation as the highest expression of political equality and political freedom; but it does not necessarily so present itself to those who have no instinctive sense of what political equality is. How can you predicate political equality of a community that is sundered into irreconcilable camps—("No!")—into irreconcilable camps by differences of caste, of religion, of

custom, which hold men fast-bound during their life-time, and the rigour of which is not abated even beyond the grave? I notice that the hon. Member has altered the terms of the Amendment as it was originally placed upon the Paper. At first he spoke of the elective principle as defined at the meetings of the Indian National Congress. But those words are now omitted. I think that that is a prudent omission. For the truth is that the Indian Congress is not of one mind, and does not speak with one voice on this matter. In 1890 we had a Bill containing an elaborate system of electoral colleges and proportional representation, and overgrown Councils, presented to this House; but in the following year this Bill was incontinently withdrawn, and has never been heard of since. And in that year Mr. Bradlaugh—of whose Parliamentary ability no one could have any doubt—introduced another Bill entirely different, in which he showed such extreme diffidence in himself and in the Indian National Congress, and such confidence in the Indian Government, that, although it contained expressed provisions for a system of election, the means by which that system was to be carried out were left entirely to the discretion of the latter. These ambiguous, fluctuating, and hesitating proposals illustrate the premature and experimental character of every reform hitherto advocated. But while these considerations render it, I believe, impossible so to re-model the Legislative Councils of India as to give them the character of Representative Chambers, I should be the last to deny the importance of the opinions and the criticism of gentlemen representing the advanced phases of Indian society. At present the sole vent that is available for that body of opinion is in the native Press, and in organised meetings such as the Indian National Congress. Everybody on both sides of the House agrees that this knowledge and activity might be better utilised than it is at present; and the Government believe that the sub-section of Clause 1 will provide the means by which representatives of the most important sections of native society may be appointed to the

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Councils, and may have an opportunity of explaining their views with a fuller sense of responsibility than they at present enjoy. If the Government are able at present to go no further it arises from no want of sympathy with the inhabitants of India, but from a sense of the colossal responsibility that rests upon them, and of the dangers that would accrue from any rash or imprudent step. This Bill is not, perhaps, a great, or heroic measure; but, at the same time, it does mark a decisive step, and a step in advance. As such it has been welcomed by every living Viceroy of India. It was foreshadowed by Lord Dufferin; it is earnestly asked for by Lord Lansdowne; and it has received the emphatic approval of Lord Northbrook, no less than the approbation of Lord Ripon. I hope that these facts, and the explanation which I have given, may commend this Bill to the sympathy of the House, that it may be regarded as a useful measure, and may be exempt from the ordinary Parliamentary obstacles and delays. There are two main objects which this House is entitled to require in any new legislation for India. Firstly, that it should add to, and in no sense impair, the efficiency of Government; and, secondly, that it should also promote the interests of the governed. It is because I believe this measure will further both those ends, that I commend it to the sympathetic attention of the House, and will conclude by moving that the Bill be now read a second time.

Motion made, and Question proposed,
“That the Bill be now read a second time.”—(*Mr. Curzon.*)

*(5.40.) MR. SCHWANN (Manchester, N.): I beg to move as an Amendment:—

“That, in the opinion of this House, no reform of the Indian Councils which does not embody the elective principle will prove satisfactory to the Indian people, or compatible with the good government of India.”

I beg to assure the House that I move this Amendment in no Party spirit. I think that in the presence of 285,000,000 of our fellow-subjects in the East it would be wrong of anyone to touch on a subject so nearly allied with their interests in anything but the most

judicial and impartial spirit. At the same time I feel it incumbent upon me to move this Resolution, because I believe the Bill itself will not answer in any way the expectations, the desires, and the aspirations of the Indian people. We have heard the history of this Bill for the last three or four years. It seems to have been wilfully strangled by its present parents. I repeat that I hope it will not be accepted by this House, as it certainly will not be accepted by the Indian people as anything like even an instalment of what they desire, of what they require, and of what is necessary for their happiness. The fact is that the Bill contains, it seems to me, but a very slight trace of the elective principle. The hon. Gentleman who introduced the Bill says that Clause 4, which is the only one which can be credited in any way with an admission of the principle, is one which will limit the number of representative Members to a number of gentlemen nominated as heretofore by the Viceroy. Now, Sir, I think the Indian people have a right to receive from this House a more determined expression of their opinion, and that representation which is merely nomination by the highest officials of India is not sufficient, and is inadequate at the present moment. The hon. Gentleman has referred to the year 1861 and to the proposals which were made by the Government of India at that day and which exist at present. Well, but 30 years have elapsed since that date, and what was quite adequate for India at that time is entirely inadequate for the India of to-day. The fact is, India, as the hon. Gentleman said, has slumbered long. We all remember the words of the late Mr. John Bright uttered in the Manchester Town Hall many years ago, when he said that India in face of the English people was dumb. But the Indian people have since that time found a voice, and may be considered, to a large extent, a nation. I am quite willing to admit, as the hon. Gentleman has said, that India consists of a number of races, with different creeds, different customs, and differing even in colour. At the same time, we

must not forget that the English nation consists of more than one race, and that it is almost impossible to find any nation with absolute purity of race and of origin. The Indian people, I maintain, have to a very large extent now attained to a clear idea of nationality, and I think this has taken place through the instrumentality of the English language, of commerce, of education, of a free Press, and of the right of free meeting. The hon. Gentleman has spoken of India as if it was entirely sunk in ignorance at the present day. I should like the House to remember that there are five Universities at the present moment in India. At the present moment at Oxford there are at least 20 Indian students; at Cambridge there are 20 Indian students. At the Universities of Edinburgh and London there are a large number of Indian gentlemen who are preparing to return to India, after receiving a thorough English education; and when they go back again they will find a large number of men who have already passed through the English Colleges, and who are perfectly able to understand the value of political privileges and views through our Western ideas. At one time the Punjaabee could not understand the Madrassee, nor the Bengalee speak with the Mahrattée. Now a large number of men of these various races of the Indian people are able to confer with one another, to exchange their ideas, and to act together for political purposes. The very condition of things which I have pointed out as existing to-day was foreseen by some of our statesmen of former times. Lord Macaulay, in a memorable speech, says—

“It may be that the public mind of India may expand under our system until it has outgrown that system; that by good government we may educate our subjects into a capacity for better government; that, having become instructed in European knowledge, they may, in some future age, demand European institutions. Whether such a day will ever come I know not; but never will I attempt to avert or to retard it. Whenever it comes it will be the proudest day in English history. To have found a great people sunk in the lowest depths of slavery and superstition, to have so ruled them as to have made them desirous and capable of all the privileges of citizens, would, indeed, be a title to glory all our own.”

Well, I have said that India has a national voice, and that voice, to a large extent, is the Indian National Congress. The hon. Gentleman who introduced this Bill has said that India consists of a great number of races who are hostile to one another; but is it not strange that in the Indian National Congress you will find Representatives of all the races of India, acting together for political ends with the greatest harmony, with the greatest loyalty to the Crown, and with great advantage, I submit, to the questions which interest the Indian people. You will find amongst the Members of the National Congress Hindoos, Mussulmans, Parsees, Christians, Jains, Sikhs, &c., &c., and other races. Some of them travel thousands of miles, journeying very often three or four days and nights, in order to be present at this National Congress. They often risk even the exclusion from caste, because, in some cases, the crossing of the sea in a ship is sufficient to exclude from caste, in order to be present. Then, the growth of the Congress is phenomenal. In the year 1885 the Congress met in Bombay, and the number of delegates present was 72; in 1886, it met in Calcutta, and the number of delegates was 400; in 1887, it met in Madras, when the number of delegates present had swollen to 607; in 1888, it met in Allahabad, and the number present then was 1,500; in 1889, it met in Bombay, and the number present was 1,590; and, in the year 1890, it met in Calcutta, and then the number of delegates present was 677 (the proportion of delegates to the number of the population having been reduced, because it was found very difficult to offer hospitality to the number of delegates willing to come from the extreme portions of India in order to take part in the Congress) but besides the delegates there were several thousands of spectators present as audience on each occasion. The hon. Gentleman has said that there is a great want in India of men able and willing to take a thorough interest in Indian politics. It seems to me that if you have got such a large number of men as 1,590 delegates to travel across the country under such disabilities and inconveniences as exist in India, it is a proof that

there must be a large and capable body of men who are perfectly fit to undertake the performance of political duties for their country. I had the advantage of being present at the meeting of the Indian Congress of 1890, and I have never seen any debate carried on in a more orderly, more loyal, or a more dignified and amicable manner. Everything was conducted exactly with as much regularity as if it had been a meeting of the great Federations of Conservative or Liberal Associations in this country. The only thing that was changed was the beautiful and gorgeous costumes of the delegates, there being a very marked contrast between them and the more prosaic costumes of Western Europe. I should like the House to take note that the Indian Congress when sitting was not confined to the delegates sent from various parts of that vast country. Some six or seven thousand spectators were present, all taking the greatest interest in the proceedings, and showing the same political energy and enthusiasm as would be the case on a similar occasion in England. I should also like to point out that the delegates were all elected in open, free, public meeting; and that, therefore, while we are looking around to see if by any possibility we can introduce a little of the elective principle into India, the elective principle has been already carried on in India to a very large extent, in the most orderly and regular manner, by a large section of the Indian people. Do not let us suppose, therefore, that the principle of election is a new one in India. I should also like to insist upon the loyal spirit shown by the people of India. If the House will allow me I shall read the opening remarks of the Chairman at the meeting of 1891 in December last. He said—

“The keynote of the movement is loyalty to the British Crown and attachment to the British people, to whom India owes its rebirth. The promoters of the movement have a thorough appreciation of the excellent intentions of the Indian Government, and it is their fixed desire and firm resolve to secure by loyal and constitutional means the reforms which are essential to the fruition of those intentions. As loyal subjects of Great Britain we desire the everlasting union of England and India. We know, whoever may misjudge us, that we can render no greater service to

either country than by openly declaring what we consider to be unsuitable or defective in the existing administration."

Now, the Indian National Congress, a purely elected body, has gone through the usual forms of criticism. At first it was the subject of ridicule; then threats were used and the Anglo-Indian Press suggested that it should be boycotted and suppressed; and, lastly, it was received and treated with respect, if not cordiality. Lord Lansdowne, with respect to the meeting of 1890, removed a certain interdict which had prevented the Civil servants of the English Crown attending the meeting, even as visitors, up to that date. Lord Lansdowne annulled that interdict, and, speaking in the most handsome and courteous manner of the Congress, said it was perfectly admissible, that it was the expression of the voice of the people, that it was constitutional, and that there was no reason why Civil servants should not attend it as visitors and spectators—though not, of course, as members taking an active part in the proceeding. The English Press has also changed its tone very much as regards the Indian Congress. The *English Times*, in its notice of the last Indian Congress, treated it with far more courtesy than it had ever done before; and so it is also with other English papers. I do not wish to weary the House with extracts. The Anglo-Indian Press, however, does not treat the Indian Congress in the same friendly spirit. But you might almost as well expect the Orange Press in Ireland to be fair and impartial to the hon. Member for North-East Cork (Mr. W. O'Brien) as to expect the Anglo-Indian Press to deal fairly with the Indian National Congress. The House may be surprised to hear that there are 755 Municipalities in India, and about 892 Local Boards—in all 1,647 institutions of a municipal character. A certain proportion of the members of these Bodies are nominated, but a large number—the majority—of them are elected by the people in open meeting. These Bodies have control of Rs7,000,000, and they have the charge of all municipal business, including streets, roads, water supply in all cities and most towns, of local roads, schools,

hospitals, dispensaries, and sanitary improvements, and of harbour works, port approaches, and pilotage. Officials testify to the great interest shown in the election. One report states: "At the contested elections in Murabganj 96 per cent. and in Jalesar 89 per cent. of the registered electors appeared at the polls and voted." At Mooltan, in the Punjab, 70 per cent. of the registered voters polled. So keen was the contest that the successful candidate won by one vote only. The average attendance of Members of Municipalities of the united Provinces was 63 per cent. of the whole number, and in one town exceeded 90 per cent. I now turn to the main question which is before the House—that of the application of the elective principle to the Vice-regal and the Provincial Councils. What did Lord Dufferin say in his Jubilee speech with regard to it? He said—

"Wide and broad indeed are the new fields in which the Government of India is called upon to labour—but no longer, as of aforetime, need it labour alone. Within the period we are reviewing, education has done its work, and we are surrounded on all sides by native gentlemen of great attainments and intelligence, from whose hearty, loyal, and honest co-operation, we may hope to derive the greatest benefit. In fact, to an Administration, so peculiarly situated as ours, their advice, assistance, and solidarity are essential to the successful exercise of its functions. Nor do I regard with any other feelings than those of approval and goodwill their natural ambition to be more extensively associated with their English rulers in the administration of their own domestic affairs."

This is a complete answer to the plea of the Under Secretary that it was impossible to find in India native gentlemen worthy and capable of taking places in the higher Councils of India. This was confirmed by Lord Dufferin in another speech which he made in 1887, when he said—

"Glad and happy should I be if during my sojourn among them (the people of India) circumstances permitted me to extend and to place upon a wider and more logical footing the political status which was so wisely given, a generation ago, by that great statesman, Lord Halifax, to such Indian gentlemen as by their influence, their acquirements, and the confidence they inspired in their fellow-countrymen were marked out as useful adjuncts to our Legislative Councils."

Lord Northbrook has also expressed himself in favour of a "properly guarded application of some mode of election."

I understand it is the general feeling of the Indian National Congress that it would be advisable to leave to the Viceroy to propose what method of representation he considers best. Lord Lansdowne has, I believe, not expressed himself as opposed to the elective principle; but it is very difficult indeed to ascertain what really passed between the Viceroy and the Home Government with reference to the question. To a certain extent the knowledge is abroad that Lord Lansdowne sent round proposals to the Lieutenant Governors which received general acquiescence except in one case, as to the introduction of the elective principle as far as regards Provincial Councils. Lord Dufferin actually forwarded a scheme to the Home Indian Office containing this actual proposal, but the hon. Gentleman the Under Secretary for India has had the wisdom to omit this striking proposal when he referred to Lord Dufferin's proposition and programme. It is scarcely necessary for me to refer to Lord Ripon's views upon the question, because we all know that his Lordship has broad opinions with regard to it; but I may mention that in a speech which he delivered at Edinburgh a short time ago, when some Indian students presented him with a Memorial thanking him for his services to the people of India, he said—

"I do not at all desire to see the early establishment of household suffrage throughout India, and I am sure you will not be surprised when I say so; but what I do wish to see is that there should be infused into the Legislative Councils of that country a reasonable proportion of the representative element, which will enable you, the educated natives of that country, to make your voices really heard by the Government through the Representatives of your own choosing."

Now, there is another Gentleman who sits in this House, and who always takes a distinguished part in the debates which arise upon matters affecting India. He has a thorough knowledge of that country, and his opinion will be received with respect by this

"An hon. Member has referred to the Native Congresses. I may just say that I have long thought that elective Members might be substituted for the appointed Members on the various Legislative Councils. I shall be prepared to bring forward a moderate and practical scheme to give effect to that principle on the proper occasion."

I am delighted to have that testimony from the hon. Baronet—his opinion is of real value. I must apologise to the House for perhaps wearying it with so many extracts, but I think the House is more likely to value the opinions of such eminent authorities rather than the impressions of a humble Member of the House like myself, but I am now coming to a conclusion. First, however, let us see what the author of *Greater Britain* (Sir Charles Dilke) has to say upon the question. He writes—

"But the National Congress does not ask for their political enfranchisement. It asks for the general introduction into the provincial institutions of the country, which already exist, of that elective principle which we have ourselves, by Governmental action, introduced into the Municipalities. In this I think the movement wise. To my mind, British rule itself in India will be strengthened by widening its base, by the development of municipal and other elective institutions, and by the representation of these elective bodies upon Provincial Councils."

I would further like to read a short extract from a book called *New India*, written by Mr. H. J. Cotton in 1886. In this book Mr. Cotton states that his father and his grandfather had been for 60 years in the Indian Service, he himself for 25 years and is so still, and he disclaims the slightest disloyalty to it; but he thinks it his duty, as a servant of India and of the Empire, to express freely his sentiments. He says—

"The constitution of these Councils has lately attracted much attention in the Native Press, and I sincerely trust that public opinion will not cease to express itself on the subject until some radical and thorough reform has been effected. It is not too much to say that the present constitution of the Legislative Council is the merest farce. Not only do officials predominate to an extent which absolutely precludes the possibility of any independent action, but these officials consist almost entirely of individuals who, from the very position they hold, are unable to display

depends for his prospects in the service. The excellent and faithful agents of the rich and powerful zemindars, who now enjoy a seat in the Bengal Council, would as soon bite off their tongues as place themselves in opposition to Sir Rivers Thompson. No blame to them. They act in accordance with the antecedents of their own order, and of their fellow-countrymen of the old style. The very essence of their creed is subservience to authority. Is there one among their friends and associates who would justify their action if they were to place themselves in opposition?"

We may be sure of one thing, that the Indian people will continue to make claims which will be irresistible because they are just and reasonable, and that we must be prepared for some changes if we really mean to carry out the reforms which are required. The House of Commons has, in the past, not taken a great deal of interest in Indian affairs, but I must say that when it has interfered with regard to them, it has, as a rule, according to my experience, been for the benefit of India. Therefore I can recommend it to use its powers on this occasion. I submit that if the Manipur question had been submitted to the House, much gratuitous mischief would have been prevented. Its interference with the Opium Traffic and "Abkari" have been fraught with good, also the discussion on the restoration of the Maharajah of Cashmere was not useless. Perhaps the House is not aware that that Prince was restored to the Throne a few weeks ago by the Viceroy on his late journey to Cashmere. I do not propose to go into these matters on the present occasion. The question now to be dealt with is the constitution of the Legislative Council. It is proposed that there shall be four additional Members. It seems to me that that is a totally inadequate addition, looking to the number of Members on the Viceregal Council. It is evident that the question is one which deserves the greatest attention. I think that the best rampart we could have against a Russian invasion is the loyalty and attachment of a happy and contented people. I have produced a great deal of weighty evidence, not of Radical Members of Parliament, nor of pushing Babus, but of men who have borne the burden of the Viceregal power, with regard to the question, and the House will be able to judge for itself whe-

ther India is ripe for a further extension of the elective principle. This House ought not and cannot throw its responsibility on the shoulders of any Viceroy or any official, however high-minded he may be. I have, therefore, great pleasure in moving my Amendment.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "in the opinion of this House, no reform of the Indian Councils which does not embody the elective principle will prove satisfactory to the Indian people or compatible with the good government of India,"—(Mr. Schwann,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. W. E. GLADSTONE (Edinburgh, Midlothian): I should wish if in my power to curtail this Debate, so far at any rate as any controversial element is concerned. I do not speak of the information, the knowledge and the experience which may be brought into this Debate by Members competent to enter into an examination of Indian affairs, but so far as controversy is concerned I should hope it may be compressed within narrow limits. We have before us a Motion on the part of the Under Secretary of State for India that this Bill be now read a second time. We have on the other hand before us the Amendment of my hon. Friend the Member for Manchester (Mr. Schwann), who asks the House by that Amendment to declare that in his opinion—

"No reform of the Indian Councils which does not embody the elective principle will prove satisfactory to the Indian people or compatible with the good government of India."

Well now, Sir, I ask myself the question whether there is between the Bill now before us, and the Amendment of my hon. Friend such a difference of opinion or of principle as to make me desirous of going to an issue in respect of that difference. Undoubtedly, Sir, if I look at the Bill I am disposed to agree with my hon. Friend that taken by itself its language is unsatisfactory in so far as it is ambiguous; but then, Sir, I have the advantage of an authoritative commentary. The hon. Gentleman the

Under Secretary of State for India has introduced this Bill to our notice in a very comprehensive and lucid speech. If I were to criticise any portion of that speech it would be the portion in which the hon. Gentleman addressed himself to the consideration of the Amendment before the House. It appeared to be his object, or at all events I thought it was the effect of his language, to put upon that Amendment the most hostile construction it could bear, whereas I desire to put on the speeches that we have heard on the Bill not the most hostile, but the least hostile and least controversial construction to which they are susceptible. Now, Sir, while the language of the Bill cannot be said to embody the elective principle, yet, if it is not meant to pave the way for the elective principle, it is in its language very peculiar indeed. It was, I believe, suggested by a Nobleman in the House of Lords, friendly to the elective principle, that unless it were intended to leave room for some peculiarities not as yet introduced in the Indian system in the appointment of the Members of the Indian Councils under this Bill, it would have been a very singular form of speech to provide, not simply that the Governor General might nominate, but that he might make regulations as to the conditions under which such nominations, or any of them, might be made either by himself or by the Governor General in Council. It is quite plain that those who framed that language, and we must assume also those who adopted that language and have sent for our consideration a Bill couched in such language, had in view something beyond mere nomination. Now, Sir, I come to the speech of the hon. Gentleman the Under Secretary of State for India. That speech appeared to me, I confess, to distinctly embody what is not very different from the assertion of my hon. Friend in his Amendment, except as to this important point—that the Under Secretary proposes to leave everything to the judgment, the discretion, and the responsibility of the Governor General of India and the authorities in India; but, otherwise, apart from limitation, I think I may fairly say what the

hon. Gentleman the Under Secretary did embody in his speech was the elective principle in the only sense in which he could be expected to embody it. My construction of that speech is—and I do not think it admitted of two constructions, especially considering the reference the hon. Gentleman made to the speeches of Lord Kimberley—my construction of that speech is that it is the intention of the Government and the intention of the House of Lords, in which we are now invited to concur, that a serious effort shall be made to consider carefully those elements which India in its present condition may furnish for the introduction into the Councils of India of the elective principle. Now, Sir, if that effort is seriously to be made, by whom is it to be made? I do not think it can be made by this House except through the medium of empowering provisions. The hon. Baronet the Member for one of the Divisions of Worcester (Sir R. Temple) has spoken at some period of proposing a plan of that kind; and I have observed on more than one occasion with pleasure, the genuinely liberal views of the hon. Baronet, with respect to Indian affairs and to the Government of the Indian people; and were he to produce a plan of that kind, I have no doubt it would contain a great deal that was wise, a great deal that was useful, and a great deal that would be honorable and agreeable to the spirit of an Assembly such as this. But I doubt if, even under such enlightenment, it would be well or wise on our part, with our imperfect knowledge, to proceed with the determination of the particulars of any such plan. The best course we could take would be to commend to the authorities of India what is a clear indication of the principles on which we desire them to proceed. It is not our business to devise machinery for the purpose of Indian Government; it is our business to give to those who represent Her Majesty in India ample information as to what we believe to be sound principles of Government; and it is of course the function of this House to comment upon any case in which we may think they have failed to give due effect to those principles; but in the discharge of

their high administrative functions, or as to the choice of means, we should leave that in their hands. It would be a great misfortune if, with imperfect information, we were to indicate leanings which might tend to embarrass them in the discharge of the duties of an office so highly responsible. It is quite evident, without any disparagement to the remarks of my hon. Friend, that the great question we have before us—the question of real and profound interest—is the question of the introduction of the elective element into the Government of India. That question overshadows and absorbs everything else; it is a question of vital importance, and also, at the same time, a question of great difficulty. Do not let us conceal from ourselves that no more difficult duty has ever been entrusted to a Governor General than the duty of administering such a Bill as this and giving effect to it in a manner honourable and wise. I am not at all disposed to ask from the Governor General or the Secretary of State who has communicated with him and shares his responsibilities—I am not at all disposed to ask them at once to produce large and imposing results. What I wish is, that their first steps shall be of a nature to be genuine, and whatever amount of scope they give to the elective principle, it shall be real. There are, of course, dangers in the way. There is the danger of subserviency; there is another danger, and that is the danger of having persons who represent particular cliques or classes or interests, and who may claim the honour of representing the people of India. The old story of the Three Tailors of Tooley Street does, after all, embody an important political truth, and it does exhibit a real danger. It is to the Governor General's wisdom we must trust to do the very best, and to make the most out of the materials at his disposal. What we want is to get at the real heart and mind—at the most upright sentiment and the most enlightened thought, of the people of India. But it is not an easy matter to do this, although, with regard to the view expressed by the Under Secretary of State for India, I think we are justified in being a little more sanguine than he was as to the amount of these

materials. The hon. Gentleman did not indicate where such materials for the elective element in India are to be found. Undoubtedly, Sir, as far as my own prepossessions go, I should look presumptively with the greatest amount of expectation and hope to the Municipal Bodies and the Local Authorities in India, in which the elective element is already included. My hon. Friend who moved the Amendment that is now before the House did valuable service in pointing out the amount of authority that can now be alleged on behalf of the introduction of the elective principle—the authority not merely of men distinguished generally for their political opinions, but of those who have been responsible for the actual administration of India. These men, after carefully examining the matter and divesting themselves of those prejudices which administration is supposed to impart, have given their deliberate sanction to the introduction of this Bill. It is there that I feel we stand on very firm and solid ground, and Her Majesty's Government ought to understand that it will be a most grave and serious disappointment to this House if, after all the assurances we have received from high quarters, that some real attempt will be made to bring into operation this great and powerful engine of government, there should not be some result which we can contemplate with satisfaction. I do not speak of its amount. I think it should be judged by its quality rather than by its quantity. In an Asiatic country like India, with its ancient civilisation, with its institutions so peculiar, with such diversities of races, religions, and pursuits, with such an enormous extent of country, and such a multitude of human beings, as probably, except in the case of China, never were before comprehended under a single Government, I can well understand the difficulties that confront us in seeking to carry out our task. But, great as the difficulties are, the task is a noble task, and one that will require the utmost prudence and wisdom to carry it to a successful consummation. But we may feel, after the practical assurances we have had from persons of the highest capacity and the greatest responsibility, we may feel justified in expecting something

more than a merely nominal beginning in this great and magnificent undertaking. It is not too much to say that this great people—this nation to which we belong—has undoubtedly had committed to it a most peculiar task in the foundation and the government of extraneous territories. But all other parts of the British Empire present to us a simple problem in comparison with the problem which India presents. Its magnitude and its peculiarities are such as to lift the function of Great Britain in this respect far above all that any other country has ever attempted, and far above all it has itself attempted beyond the sea in any portion of the Dependencies of the Empire. I rejoice to think that a great and a real advance has been made, both before and especially since the time of the transfer of the Indian Government to the immediate superintendence of the Executive at home and the supreme authority of the Imperial Legislature. The amount of progress they made has been made by the constant application to the Government of India of the minds of able men acting under a strong sense of duty and also under a strong sense of political responsibility. All that has so far taken place induces us to look forward cheerfully to the future in the expectation that if there should be a real success in the application, the genuine even though limited application, of the elective principle to that vast community, it will be the accomplishment of a task to which it is difficult to find a parallel in history. In these circumstances I deprecate a Division on the Amendment of my hon. Friend. I see no such difference between the Amendment and the language of the Bill as ought to induce my hon. Friend to divide the House. If the language of my hon. Friend is to receive a perfectly legitimate and not a strained construction, it is only an amplification and not a contradiction of what the speech of the hon. Gentleman the Under Secretary implies. I think it would be a great misfortune if the House were to divide on this subject. There is no difference of principle disclosed, because the acceptance of the elective principle by the Under Secretary, though guarded, and neces-

sarily guarded, was, on the whole, not otherwise than a frank acceptance. I do not think there is on the other side of the House any of the jealousy of the introduction of that principle, which, if it existed, would undoubtedly form a strong mark of difference between the two parties. In reality and in substance we have the same object in view, and we are prepared to recommend the employment of the same means to secure that end. If that be so, it would certainly be unfortunate that any Division should take place which though the numbers might be unequal (I certainly could not take part in any Division hostile or apparently hostile to the Bill) would, after the speech of the Under Secretary, convey a false impression. It is well the people of India should understand the truth—that united views substantially prevail in this House on this matter. My persuasion is that these views are united, and that they are such as likewise tend to the development of an enlightened and so far as circumstances will permit not only of a liberal, but of a free system. While my hon. Friend has done service in bringing this matter forward, he has really no substantial quarrel with the declarations of the Government, and I think he would do well to withdraw his Amendment and allow this Bill to receive the unanimous assent of the House, in the hope that without serious difficulty it may shortly become law, and fulfil the benevolent purposes with which it has been submitted.

*MR. J. MACLEAN (Oldham): The right hon. Gentleman who has just sat down has taken advantage of the speech of the Under Secretary of State for India to suggest that there is substantially no difference of principle between the Bill and the Amendment. I hope I may be pardoned for introducing a slight controversial element, but I hardly think the House appreciates the vast and far-reaching importance of the change that it is proposed to introduce into India. I listened with great attention to the speech of the hon. Member for Manchester, because I wished to discover any explanation the hon. Member would give of the elective principle, but I fail to find any such explanation, and I am still at a loss to know in what manner this elective

principle will be introduced. Personally, I am not at all opposed to the introduction of some kind of elective principle into the domestic affairs of parts of India. Probably I am the only Member of this House who has taken any part in introducing the elective principle into the local affairs of India. Some 20 years ago Bombay was governed by the advice of a Bench of Magistrates, and it was mainly owing to a motion which I made at a meeting of the Bench of Magistrates that the Government was induced to concede to the people of Bombay the management of their own affairs. Sir Seymour Fitzgerald, who was then Governor of Bombay, sent for me, and asked what system should be set up, and I recommended that household suffrage should be made the basis of an Elective Municipal Council. That proposal was accepted by the Government, and the result has justified the experiment. But although the experiment has succeeded in Bombay, it must be borne in mind that Bombay holds an exceptional position in India. It is a town which somewhat resembles one of the old free cities of the German Empire. Bombay is the second city in the whole of the British Empire in point of population, and the natural beauty of its situation, and the magnificence of its buildings, and the public spirit of its citizens, make it not unworthy of this proud position. In Bombay there is a community which is gathered from all quarters, but among whom English influence prevails. There are not there, as in other parts of India, great nobles who lament the loss of the power they formerly enjoyed; there is not the same strict separation of castes; there is a strong body of Parsees, and certainly there is more freedom there than there is in other parts of India. Whatever may be suited to Bombay is not therefore necessarily suited to other parts of India. What is more, the good feeling which prevailed in the Anglicized Indian communities of 20 years since does not now exist. Lord Ripon broke up the *entente cordiale* between Europeans and natives, and created the anti-English agitation which now finds expression in the Congress movement.

It is significant that very often nowadays we hear in this House questions addressed to the Government as to whether there are not a great many more Europeans in the public service of the Crown in India than ought to hold those positions; and the Member for South Donegal is frequently asking why the natives are not allowed to occupy the higher positions in the Executive Service. The reply is that the Administration is English, and must be kept under English control. The effect of Lord Ripon's Administration was to put into the heads of the natives the idea that they could govern the country themselves, and exclude the English from any exclusive rule of that country. Then grew up the Congress movement, which begun in 1885, and went on increasing during several years, although latterly it has been on the decline. But that movement cannot be said to represent in any real sense the wishes of the people of India. We know that the Europeans, as a community, all stand aloof from it, although a European here and there of fantastic ideas may give it the benefit of his assistance. Are the Mahomedans in favour of the movement? I have myself presented several Petitions to the House, and so has the hon. Member for South Worcestershire, from most enlightened Mahomedan representative bodies in India protesting against any concession being made to this National Congress movement. The Parsees, as a community, are also opposed to it. In fact, it is only a movement promoted by the Hindoos, and they themselves are divided in their opinion upon it, for many of the most enlightened Hindoos have protested against the movement. The Hindoos are the majority of the people of India, and it is only natural that the Mahomedans should be afraid of what might happen to themselves if they were governed by a Legislative Body containing a majority of men bitterly opposed to them in race and religion. I venture to say that Representative Government has nowhere succeeded where antipathies of race and religion have prevailed. I doubt whether Representative Government has been a success anywhere in the world except in England and some English-speaking communities

abroad; and I doubt whether Representative Government could be continued here, or whether we should not be plunged back into civil war if issues of a most vital and fundamental character were raised in this House affecting the Constitution of the country. It is only where there is agreement upon the main foundations of Government that it is possible for representative institutions to succeed. The hon. Member for Manchester (Mr. Schwann) tells us a great deal about the education we have given to the people of India. But merely intellectual education, which does not touch the morals, manners, or habits of a people, cannot change their character or give them that sobriety and robustness of disposition which is essential to the smooth and even working of representative institutions. I suppose the Barons who could not sign their names to Magna Charta might be as trusty statesmen as Burke or Macaulay; and amongst the most illiterate English peasants, who belong to a race that has the love of freedom instinctively in its life-blood, and who understood the principle of self-government and respected the rights of individuals almost before the dawn of history, there are those who would be far more capable of attending to the administration of public affairs than the most cultivated Bengalees who ever discoursed as fluently as the Member for Midlothian himself upon political institutions. In saying this, I, of course, do not wish to cast any reproach on the people of India. They have a civilisation of their own, which in some respects may be perhaps occasionally superior to ours, but you are running a great risk in proposing to transfer a large portion of the administration of India to men like the Bengalees, who have been slaves, nay, the bondsmen of slaves, for fifty generations. That is simply a physiological fact. There is another element of danger in this proposed change, for, if you are going to place real power in the hands of these men, you will disturb the pre-eminence of English rule in India. The hon. Member opposite wishes to do that.

MR. MACNEILL (Donegal, S.): I beg pardon; I do not wish to do any-

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thing of the kind, and that observation ought not to pass without instant contradiction. The hon. Member says we wish to disturb English rule in India. We wish to do no such thing, but we wish to make English rule more beneficial to the natives of India.

MR. MACLEAN: There is another point I wish to dwell upon in order to show the danger it would be to the pre-eminence of English rule in India to make a change of this kind. A very great and important change has been made in India during the 14 years in which I have been absent. You have changed the whole political system of India, and shifted the centre of power from Bombay and Calcutta away up to the North-West. That being so, and the system of Government having become more exclusively military than before, what would be the effect of placing the control of the finances or military affairs of India in the hands of men chiefly belonging to the lower Provinces and not to the North-West Provinces at all? Sir Charles Dilke has been quoted as being in favour of this movement promoted by the National Congress. He has written a very interesting book on Greater Britain; but perhaps its defect is that he tries to make friends with everybody all round, and consequently often defends a system in one page which he shows to be utterly impracticable in the other. I will read a sentence in which he refers to the National Congress. He says—

"We are not driven by considerations which touch their happiness to work towards the unity of India, but in the development of the provincial system which ought gradually to create a federal India, except for fiscal and military purposes, the natives must undoubtedly take a leading part."

Do hon. Members appreciate the gravity of the restriction he there places upon the development of the elective principle? He says he is in favour of some advance in the Provincial Councils towards the introduction of the elective principle, but he also says that these Councils are not to touch either finance or military affairs—

"We must have British military supremacy," he adds, "sufficient to preserve peace, and British control sufficient to raise the necessary taxes and to prevent the imposition of Customs"

duties. Our first duty in India is that of defending the country against anarchy and invasion.

Nobody can say that a man who writes in these terms can be taken to be in favour of the programme of the National Congress. In another chapter he gives an argument which turns the whole proposal of the hon. Member for Manchester into ridicule, for he says—

“I have formed a distinct opinion that we should cease to enlist men from the unwarlike races. We have already ceased to enlist Bengalees, and I should wish that the same principle should be extended, and that we should no longer enlist men from Southern India. No one would dream of sending Madras, Bombay, or down country infantry regiments against Russians.”

MR. SCHWANN: Is that quotation from the last edition of Sir Chas. Dilke's book? There are two editions of *Greater Britain*, and the extract I gave is from the edition not three weeks old.

MR. MACLEAN: This is from the *Problems of Greater Britain*, and not the original book of Sir Chas. Dilke. I may point out that what his opinion really amounts to is that we are bound to preserve in our own hands the military and financial control of India. Now, what would be the result of having a Legislative Assembly in which the natives of Bengal and Madras and Bombay would be in an overwhelming majority as compared with the Representatives of the Punjab and the warlike Northern races? Here you have it confessed that you cannot rely on troops from the Southern districts of India, and yet you are to give the natives of those districts a majority in the Legislative Councils, so that the warlike races are to do all the fighting and the unwarlike races are to hold the power of the purse. Can anybody imagine a more absurd system of government than that, or suppose that British rule would last in India if the warlike races were subjected to a rule of that kind? Hon. Members attempt to minimise the importance of the concession which the National Congress demands; but if you once make this fatal concession, of course the people of India will want the power of the purse also, and they never will be satisfied until they get it. A great deal has been said about Lord

Dufferin's opinion and what ought to be done. He has, no doubt, temporised in some of his Despatches, but we know what he really thought of the Indian National Congress when he made his celebrated speech in Calcutta on 1st December, 1888, in which, describing the promoters of the Congress movement, he said—

“Who and what are the persons who seek to wield such great powers—that would tempt the fate of Phaeton and sit in the chariot of the sun? They are most of them the product of the system of education which we have ourselves carried on during the last 30 years. Out of the whole population of British India, which may be put at 200,000,000 in round numbers, not more than 5 or 6 per cent. can read and write, while less than 1 per cent. has any knowledge of English. Thus the overwhelming mass of the people is still steeped in ignorance. During the last 25 years probably not more than 500,000 students have passed out of our schools with a good knowledge of English; there being perhaps 1,000,000 more with a smattering. Consequently, it may be said that out of a population of 200,000,000 only a very few thousands possess an adequate qualification, so far as an acquaintance with Western ideas or even Eastern learning are concerned, for taking an intelligent view of those intricate and complicated economic and political questions affecting the destinies of many millions of men that are almost daily presented for the consideration of the Government. I would ask, then, how could any reasonable man imagine that the British Government would be content to allow this microscopic minority to control the administration of that majestic and multiform Empire for whose safety and welfare they are responsible in the eyes of God and before the face of civilisation? It appears to me a groundless contention that it represents the people of India. Is it not evident that large sections of the community are already becoming alarmed at the thought of such self-constituted bodies interposing between themselves and the august impartiality of English rule?”

That extract conveys the real sentiment of Lord Dufferin in regard to the aims and intentions of the National Congress. They may be disguised for a time until the British Parliament is deluded into making certain concessions which will pave the way for further concessions, but the aims and intentions are still the same as they were when Lord Dufferin described them in such accurate language. I will say no more in regard to the Amendment, but I should like to make one or two comments upon the Bill brought forward by Her Majesty's Government. When the Under Secretary of State quoted Lord Kimberley's speech in the other House,

I asked whether the Government accepted that statement as describing their intentions in bringing forward this Bill, and I was somewhat surprised that he gave an unconditional assent.

Mr. CURZON: I should say that I did not mean that the language of Lord Kimberley expressed the intentions with which the Government had brought forward this Bill, but on behalf of the Government I did not dissent from the interpretation put by Lord Kimberley upon the possible application of a particular clause.

Mr. MACLEAN: I think that means the same thing. The Government does not exclude the principle of election from this Bill; but it leaves it in the power of the Governor General in Council, with the approval of the Secretary of State in Council, to make regulations as to the conditions under which persons shall be chosen for appointment to the Legislative Councils. With all respect to the right hon. Gentleman the Member for Midlothian, I maintain that when Parliament is making a change of this sort it should know exactly what it is doing and should not allow the principle of election to be brought in by a side wind. If we were to pass a measure of that sort we should be playing into the hands of Party Government in regard to India, and none of us would wish to do that in the management of Indian affairs. Let us suppose, for example, that a Liberal Government came into office, and we had Lord Ripon as Secretary of State for India, and Lord Reay as Governor General, would not these two noblemen strain every clause of this Bill for the purpose of introducing an elective system which would suit the views of their friends the Members of the National Congress? It is extremely dangerous to leave such a power to whoever may be Secretary of State or Governor General for the time being; and when this Bill is in Committee I shall propose an Amendment, which I hope the Government will take into their serious consideration, providing that the regulation for the choice of Members of these Legislative Councils which are to be made by the Governor General in Council, with the approval of the Secretary of State in Council, shall be submitted to

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both Houses of Parliament. It is absolutely essential that if the principle of election is introduced at all, it should have the direct and immediate sanction of both Houses of Parliament, for that is the only way in which we should be able to prevent a dangerous application of the new system. I think the concessions in the 2nd section of this Bill will not satisfy anyone, because practically they lead to nothing. When the Secretary of State for India introduced this Bill in the House of Lords he said it was an unimportant measure; but I look upon it as the most important measure which has been brought forward since the whole constitution of the Government of India was changed after the great Mutiny of 1857. There is no greater danger connected with our Government of India than that we should make it the field for experiment in constitutional changes. It has always seemed to me that there was something profoundly mournful in the poet's description of Venice in the days of her decadence:—

"Once did she hold the gorgeous East in fee,
And was the safeguard of the West."

England is a greater and a nobler Venice, and she "holds the gorgeous East in fee," and is "the safeguard of the West" in a far larger sense than ever Venice was. But if we wish to lose these glorious titles to the respect and admiration of mankind, we cannot take a surer step towards attaining that end than by making India a field for rash and ruinous experiments which strike at the foundations of the Empire acquired and bequeathed to us by the wisdom and valour of our forefathers.

(7.25.) MR. MAC NEILL (Donegal, S.): I cannot congratulate the hon. Member opposite on acting on the wise precept laid down by the right hon. Gentleman the Member for Midlothian, that we should refrain from making this Debate of a controversial character. I shall not enter into matters of a controversial character, because the issues at stake are so enormous; but I wish to ask the Under Secretary of State for India for a deliberate statement upon an important point. The right hon. Member for Midlothian accepted to the full the

statements of the hon. Gentleman with reference to the admission of the representative principle, and they were made in the presence of Lord Cross who was seated upstairs, and of the Leader of the House, without any expression of dissent or of disapproval being made. But now a thick and thin supporter of the Government accuses the right Member for Midlothian of taking a tactical advantage of the Indian Government. I wish to know whether the Government accepted the principle of representation or not? I believe they have done so, and in that belief I shall modify the speech I intended to make. Four years ago the hon. Member for Oldham made himself unconsciously the agent for stirring up religious animosity between Hindoos and Mahomedans, and his observations in this House were warmly repudiated in the Indian Congress by a Mahomedan gentleman. The hon. Member for Oldham has quoted the substance of Lord Dufferin's speech; but Lord Dufferin, when he delivered it, was under an absolute mistake as to what was aimed at by the National Congress and the Party of reform. He thought they wished to capture the Executive Government, but they wish to do no such thing. If the principle of election were carried out to the fullest extent the Indian Councils would be nothing more than consultative; the Bill has guarded that carefully. It would be possible for the Governor General to destroy all their legislative arrangements or to carry any Statute in the teeth of these bodies. When Lord Dufferin said the Reform Party wished to gain supremacy or controlling power over the Executive Government he misunderstood the change which the representative principle would make. The Indians would not be allowed to legislate; the Councils are consultative and not legislative in the true sense. When I interrupted the hon. Gentleman he misunderstood me, and I tried to explain myself by saying that Englishmen or Europeans ought to leave India if they did not stay there for the benefit of the people. I adhere to that absolutely. The right hon. Member for Midlothian said in his Limehouse speech that our time in India depended

on our stay there being profitable to the people, and our making them understand that, and later on he said—

“It will not do for us to treat with contempt or even with indifference the rising aspirations of this great people.”

The right hon. Gentleman has said practically that same thing to-night, and I charge Ministers that they must not deceive themselves in this matter. The Under Secretary said this was not a very great measure; I consider it a great measure, though small compared with what we were promised six years ago. The noble Lord the Member for Paddington (Lord R. Churchill), when a responsible Cabinet Minister, in introducing his Indian Budget in August, 1885, pledged the Government to give full administrative reform to the Government of India. That promise is to be fulfilled by this Bill, which comes down here for consideration, after having been proposed in another place two and a half years ago. The four principles now embodied in the Bill are mainly due to the Indian National Congress, and yet those who at that Congress suggested these very reforms were for years subject to wicked misrepresentation. The *Times* said in those days that India had been won by the sword and should be kept by the sword. But the feeling on both sides of the House have changed since that, and we endeavour to elevate these suffering millions, and make their lives better. The *Quarterly Review* said that the Indians are not fit for self-government and called them a race of liars. Professor Goldwin Smith said that the concession of the smallest reform to India would lead to universal anarchy. Lord Salisbury said—

“I do not see what is the use of this political hypocrisy; it does not deceive the natives of India; they know perfectly well they are governed by a superior race.”

As a superior race it is our duty to show mercy to these people. I take it that this Bill gives representation to India, and that the House will not be deceived in the matter. In regard to the theory of the hon. Member for Oldham (Mr. Maclean) as to the selective principle I will give an illustration. A Maharajah of the North West

Provinces was appointed a Member of the Supreme Council, and he could not speak a word of English, and was not allowed to have an interpreter. After the meeting a relative asked him how he got on. The reply was—

"At first I found it very difficult, but then there was the Governor General who elected me, and when he raised his hand I raised mine, and when he put his hand down I put down mine."

The Indian Government wants men who will give a fair and independent expression of opinion, who will be backed in their opinion by the knowledge that they represent the feeling of hundreds of thousands of their fellow-subjects, and truly represent their ignorance and prejudices. Edmund Burke said that the statesman would not be worthy of the name of statesman who did not consult the ignorance and prejudices of the people. We want to know what these people think. The hon. Member for North Manchester (Mr. Schwann) quoted a number of authorities in favour of the representative principle; I have studied a great deal of literature on the subject, and have found the most unlikely people in favour of it. In a book which came out in the native tongue, just after the Mutiny, and which was translated by Sir Auckland Colvin in 1887, called *The Cause of the Indian Revolt*, said that one of the direct causes of the Mutiny was the want of representative institutions. Sir J. Lawrence, in 1864, said that it would be to the advantage of the people of India and of the Government if the people had a voice in their own affairs. The hon. Baronet the Member for Evesham (Sir R. Temple) is in favour of a limited system of representation, and undoubtedly he would have benefited during his administration if he could have had the assistance of Indian gentlemen who were the mouthpiece of many people whom he could never reach. In 1880 a deputation of Indian gentlemen waited on Lord Hartington to press the principle of representation. The *Times* in 1890 admitted the principle of election, and said—

"There is no doubt of the force of the argument that nomination is not calculated to give the Government the advantage of contact with some of the important factors of Indian society."

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The differences between Hindoos and Mohammedans were, till the English Government came in, not religious but political, and the great administrator, Akbar, placed religious toleration in the forefront of his programme, making all creeds equal in the sight of the law. The hon. Member for Oldham spoke at some length of the incapacity of the natives for administrative and executive functions, but yet in India there is a perfect system of self-government where the natives have shown to the utmost advantage their powers and capacity for popular self-government. In the French dominion, at Pondicherry, they have full representation. But in India there is a large English and European class, irrespective of the official class—the milling and mining interests are all manned by Europeans—who bitterly complain of the loss of rights and privileges in their new Indian life. The hon. Member for Oldham was wrong in saying that there were not many Europeans who sympathised with the aspirations of the natives. An eminent merchant, Mr. Ewell, took the chair at the Indian National Congress, and he was supported by a large party who complained that Englishmen in India were unrepresented. Everyone who is not an official is debarred from having any voice in the management of public affairs; that ought not to be. It is not good that Englishmen should be deprived of their rights, nor is it desirable that natives should be debarred from having a voice in public affairs. The hon. Member talked of the miserable poverty of these people, but that might be made riches and their ignorance knowledge if they could only send people of their own flesh and blood to set before the English people their grievances, and when they understood them they would be delighted to remove them. Mr. Bright in one of his last speeches said that India was governed by despotism, and under this Bill that proposition remains. We want these Councils to be consultative, and surely the Indian Government would be glad to get the best advice, and then to act on their own responsibility. At present no Bill is introduced into the Supreme Council until it has first been submitted to the

Secretary of State here, and it cannot be introduced if he vetoes it, and the Councils are official Councils pure and simple at present. There are only about 14 sittings of the Supreme Council at Calcutta, and then it moves to Simla. There, where the non-official Members cannot afford to follow, the greater part of the work is done. I see the First Lord of the Treasury in his place, and I think we are entitled to have from him some statement to the effect that the words of the right hon. Member for Midlothian were a correct view of the intentions of the Government, and that they intended to do their best to secure more representation for the people. I believe when they realise the sufferings of the people the Indian Civil Service act fairly well towards them, and when I spoke in the contrary sense the other day the sufferings of these people were weighing on my mind. I hope if my words reached India that the Gentlemen whom they concern will believe I think they are doing their best, and that they will, if possible, increase their efforts to save the people. It is because I believe the representative principle would better enable the Government to help the people that I am in favour of this Bill.

*(8.33.) **SIR R. TEMPLE** (Worcester, Evesham): I must begin by referring in very thankful terms to the kind manner in which the right hon. Gentleman the Member for Midlothian alluded to me. He adverted, among other things, to a plan of my own which I have more than once mentioned in this House, and again this evening I have been challenged to say in general terms what it was. My plan always had reference to the Bill before the House and to the rules which, according to it, are to be framed; and it will be found a modest plan and contained in very brief compass. In the first place, I must admit that to formulate any scheme which would in any proper sense represent the population of India is an absolute impossibility. You might theoretically construct a system whereby constituencies could be formed in every district; but that would involve local Parliaments con-

sisting of hundreds of Members, and it would be impossible to say, if such a system were introduced, what sort of men would be elected, and how such bodies would work. In fact, the idea is really a travesty of a responsible Government in India. But because such a representation of the people is impossible in this sense, it does not follow that some moderate scheme within sensible limits might not be propounded. And my plan would be simply this. It is now proposed that 16 additional Members (presumably natives) should be given to the Legislative Council of the Government of India. Well, I suppose they might be elected by 16 selected cities in various parts of the great Indian dominion. Of course I should like to select the cities, and they would be so chosen as to represent as nearly as possible the various sections of the population. It would be essential to provide for a minority representation, and certain cities should be chosen that would evidently elect Mahomedans. All these cities that I should select would be places which had the elective principle in force within them, both for municipal and local purposes, and where, therefore, the idea of election would be familiar to the citizens. To such a scheme as this there is the obvious objection that these cities do not represent the country—that is to say, the country in our sense of the term, as contradistinguished from the town. But, nevertheless, their inhabitants would form fair specimens, samples, and types of the various forms of thought and sentiment that reign in that vast population, and they would be great centres of native thought, activity, and industry. So far there would be, not an adequate, but a limited representation upon a scheme that is perfectly practicable; and because perfect representation of town and country is impossible, that is no reason why we should not have, at all events, some representation of the towns. Then, according to that plan, it would be necessary that the Government should always provide itself with a majority, whether by nominated Members or otherwise. It would not do to leave to elected

Members, in such a country as India, anything like control of the legislation and finance. Elected Members would be there to help, not to supersede; but the advantage would be that instead of having nominated Members, you would have men chosen by the suffrages of their countrymen. At present every Governor General or Governor who has a nomination endeavours to choose a man who is a type, a representative; and every man that I myself have ever nominated was exactly the man who would have been elected if there had been an elective principle in force. Now within the moderate compass above described, an elective scheme could be safely and effectually carried out. That is the plan I have always had in my mind; and it is perfectly workable, and also perfectly consistent with this Bill. Although I quite acknowledge that our tenure in India largely depends upon good administration, good management, and conciliation of the people, yet its ultimate basis is upon the sword and on nothing else. Therefore, we must have a majority on the Legislative Council; but, so long as we have a majority, I would like to make the majority as nearly as possible a mirror and a looking-glass of the sentiments of the people. These remarks which I have made with regard to the Governor General's Council might be applied to the various Provincial Councils. In all these provincial areas, I am particularly careful to explain, I would have the various minorities represented, especially the great Mahomedan community. And I must say, with great deference to the hon. Member for North Manchester and the hon. Member for South Donegal, that probably not one of these cities would elect a National Congress man. If they did so, that would only be proof that the majority of the citizens were not taking any interest in the election, and were allowing men to be elected who did not represent the popular opinion. That being my plan, the House will see that it is quite moderate and reasonable; that it starts with small beginnings and is quite compatible with this Bill. I would point

ment in India and not arranged by this House. It is impossible for us, sitting as a Committee in this House, to make out an elaborate scheme; we must leave the matter to the Executive Government on the spot, under regulations as provided for in the Bill. Next the hon. Member for Manchester says that no plan will be satisfactory to the people of India which does not specifically include the principle of election. I must repeat that question which has been asked more than once in this House—who are the people of India? How are they represented? The hon. Member evidently thinks that the National Congress represents the people of India. Now, I venture to traverse that statement in the strongest possible manner. The men who propose a new elective Constitution, if British rule were to disappear to-morrow, would be swept into the sea. ("No!") That is my opinion, and I think that any person who understands India will say the same. I do not wish to disparage those who compose the National Congress. They are what we have made them, and no man living has had a greater share than I have had in making them what they are. All I say is that they do not represent the population of India. The hon. Member for Manchester speaks of them as forming a nationality. I cannot imagine any name less applicable to them than that of nationality. That is just what they are not. He said they spoke with the voice of the people of India. Nothing could be more contrary to the fact—their voice is their own and nothing more. The hon. Member said they have great influence over the mass of their fellow-countrymen. They have no influence at all among the mass of the people. They are looked upon as semi-foreigners, having all the faults of foreigners, with, perhaps, few of their merits. They are not popular. No doubt they deserve to be popular; only the people of India do not seem to see it. I quite agree with the hon. Member for Oldham in regard to their position in the country. Everything

to elevate them by culture I would do ; but as to giving them political power—they are the very last persons I would select. Until they show greater moderation, greater sobriety of thought, greater robustness of intelligence, greater self-control—all which qualities build up the national character—I, for one, would not entrust them with political power. Therefore, I am not in favour of making any concession to the Congress particularly. They should be content with their place in the ranks of their fellow-countrymen and take their chance with them. The hon. Member spoke of the mute multitude of the unrepresented masses. So did the Under Secretary for India, with much justness. The masses in India are indeed outside any conception of the elective principle. Besides the masses, who are spoken of as working men, artizans, and labourers in the field, there are distinct sets of classes who are thoroughly outside any electoral idea. Perhaps the most important class in India are the village headmen. They have withstood the shock of revolution and the stress of war, and they have come out of it like gold refined by fire. These men, though quite representative in their way, are thoroughly outside any idea of any electoral system. Then take the great landholders. When I was at the Imperial Assemblage at Delhi, I had of an evening in my reception tent a group of men whose total rental was not less than half a million sterling—they never dreamt of election. Tens of thousands of small landowners are of the same mind. But besides landowners there is the great class of peasant proprietors. They are everywhere, from Cape Comorin to the Himalayas, and constitute the very backbone of the Indian population. They are wholly outside this idea. Then there are the frontier chiefs, the men who dominate the border, who keep back marauders and robbers, and who are the wardens of the marches all around the frontiers of India. They never heard of election. Take the hill tribes scattered all over the country; their hills are just like the bones in the physical body, or the arteries. All these tribes are thoroughly

innocent of this idea. There are the martial races that supply not only the foot soldiers and the troopers, but also the native officers for the Infantry and Cavalry. I say these men never heard of election. Then take the purely peaceful races : the native bankers and traders who have accounts in every village, and also transactions extending over Asia into Europe, and even on to America ; the shopkeepers, who are a numerous class in every town, in every village ; the still more important class, the proprietors of ships and boats, the men who circumnavigate the Indian Peninsula, who conduct an inland navigation on the great rivers, not surpassed in extent in any part of the world ; all these men are outside the idea of election. Then we come to the priests, both Hindu and Mahomedan, who live in the recesses of temples and mosques, in cloisters and shrines, but yet who have potent influence over the lives of the people from the cradle to the grave. These men think nothing of the principle of political election. Take the Brahmins, who study the ancient Sanskrit, the men who look back to the dawn of ancient civilisation, and who are the repositories of the religious traditions of the country ; the Mahratta Brahmins, the representatives of an Imperial as well as a priestly race ; and, lastly, the men of what I may call the old school—those men who look back to the ancient *régime*, who regard all Western civilisation as an evil. All these would abhor the idea of election. I ask the House to reflect on the great variety and importance of the classes I have mentioned, and hon. Members will see what a powerful phalanx they compose. Take the masses, and all these classes together,—what remains of the whole population ? Why, nothing, except the few thousands who form the National Congress — and they are the only advocates of the elective system. But, further, we have the Mahomedans ; they are actually opposed to such a system. I have myself submitted representations on their behalf, and have promised to watch their interest in reference to this Bill. They are anti-Congress' out and out. They know that they form a very im-

portant and influential section of the community, and they say that according to the scheme of the National Congress, an undue share of power would accrue to that Congress, which consists almost entirely of Hindoos and Parsees. I desire to speak of the Parsees with all respect, but they do not represent the feelings of the people of India—they are, in fact, simply like the swallows that portend the spring. The Mahomedans say that they would be outvoted by the Hindoos in every place, and they naturally wish to maintain some influence in the country, whose destinies in historic times they have so largely helped to mould. They ask, in effect, that there should be some arrangement for the proper representation of their important minority, which may now be numbered at between 50,000,000 and 60,000,000. This question of proportional representation alone shows how hard and onerous the elective system must be in such a country as India. Now, I will ask this important question: Is the elective system at all in the hearts and minds of the people? Of course it is not. The dignity of the village headman is hereditary; so also are the village offices; and almost all the ancient appointments held by Mahomedan Judges are more or less hereditary. Here and there germs of the elective system are to be found. Priests, for instance, are elected, though in what way no outsiders can say. In Mongol or Mogul times the victor in the saddle would be hailed Emperor by the knights on horseback around him; but the dignity thus elective in the beginning soon became hereditary in his son. But if the elective system is going to be introduced, the natives would have to be educated and taught what it means. It is quite possible to do that, but if you try it you must bend yourselves to the task. I have myself experimented with the elective system in Calcutta. In that metropolis I thought I perceived a middle

cess. It was almost as hard to get the citizens of Calcutta to vote as it is to bring ratepayers to the poll at London School Board or County Council elections. But they soon got used to it; and now I understand that they regard it as a privilege of which they would not bear to be deprived. In Bombay, on the other hand, the elective system has always been found to answer, and with regard to District Boards in the interior, which were originated under the *régime* of Lord Ripon, the principle of election is growing year by year. No doubt in most towns there is the germ of the elective system; but if this plan is to be carried out generally for political arrangements, it would have to be by means of rules and regulations, which should be framed here, and their working out left to the authorities on the spot. I have myself just propounded a plan. But I would not send it out cut and dried to India. Even for an abridged plan like that the number of persons whom the Governor General would have to consult, and others who would have to be won over, and their views taken into account by him, must be very large indeed. It would be a very serious matter, but I have no doubt something of the kind could be done in time under the regulations as in this Bill provided. That is why I approve of this Bill. It leaves the details of the scheme to be worked out on the spot. I have no doubt that the authorities in India will be greatly guided by what is said in this House, and that the Government out there will profit by a perusal of this Debate. If a few Members are to be added to the Council I fail to see any danger allowing those Members to be elected instead of being nominated. Broadly speaking, I would venture to express two opinions: The first is, that this Bill is entirely worthy of the support of this House; and, secondly, that the Amendment of the hon. Member for Manchester ought not to be accepted.

amongst whom I have spent the greater part of 30 years, may be taken as my justification for endeavouring, with the kind permission of the House, to place them in possession of some most serious facts, drawn from my own observation, which will, I believe, incline the House to the conclusion that the Government of India cannot be safely carried on any longer without the introduction into it of the principle of popular representation. Sir, on the very few occasions when India gets a hearing at all in this House, it is, I fear, far too much the fashion for the House to accept the views of gentlemen who have held official positions, and who invariably give assurances that everything is going on most admirably, and that the Government of India is the best of all possible Governments. Now, Sir, I protest against the views of these gentlemen, however personally worthy and excellent men they may be, being accepted as authoritative in regard to the real condition and wants of the people of India; for my experience of them all, with only a few exceptions is, that they are much too apt to indulge in optimist views, which, however, unconsciously to themselves, are really nothing but the offspring of an easy-going hope that a state of things is sound, from which they have reaped comfort, honour, and substantial advantage. There are two main reasons why the alien bureaucracy which we call the Government of India are fairly frightened at the bare idea of the introduction of the elective principle: In the first place, they know that the people's representatives, in so far as they were able to make their presence felt at all, would feel bound to insist on a reduction of the vast salaries and appointments now held by Europeans, whereby the natives are excluded from all good offices in the Public Service of their own country, and whereby the revenues of their country are appropriated and eaten away. Nine years ago a Return was presented to this House, on the Motion of Mr. John Bright, which casts a grim light upon the cause why the present Motion is so strenuously opposed. That Return shows that, other than the rank and file of the British Army, there are only about

68,000 Europeans in the whole of India, and that of these no less than 25,000 receive salaries from the Government of more than £100 a year, the total amount of their salaries arriving at the enormous figure of £13,000,000 yearly. Moreover, nearly one-third part of this vast sum, or £4,000,000, is paid in the shape of pensions, &c., to Europeans living in this country. But, on the other hand, what is the case with regard to the natives of the country? There are no less than 285,000,000 of the natives of India, and of these only 11,000 hold Government posts over £100 a year. Their total of salaries, moreover, amounts to only £2,250,000. Last year the Government kindly accepted a Motion which I made for a continuation of that Return up to the present time, and I have no doubt that when it is presented it will reveal a state of things still worse than that which I have described. The fact is, Sir, that the whole policy of the Government of India is framed for the purpose of supporting, and the natives of India are ground down for the purpose of paying, the gigantic salaries of these 25,000 Europeans. And, Sir, it is because the Government of India well know that to introduce an elective element into its Councils would be to introduce a jarring element which would disturb the fine unanimity hitherto displayed by these Councils in voting salaries for their own class, and taxing the people of India in order to pay for them, that the present proposal is vehemently opposed by the privileged class whose monopoly would thereby be threatened or broken down. But there is another and a still more serious reason why it is essential that the elective principle be introduced without delay, and that is the enormous and ever-increasing impoverishment of the people, which is taking place under our rule. It is solely by the device of absolutely excluding elected representatives from their Councils that our officials are now able to go about crying "peace and prosperity," while all the time biting poverty and decadence of the most serious character is going on under our rule throughout the length and breadth of India from day to day, and from year

to year. And, Sir, I venture to say that this hiding away of the truth, which could and would at once be declared by the mouths of elected Representatives of the people, constitutes the most serious possible danger for the future of our Empire in India. One of the chief apostles of the official classes, who are accustomed to soothe the Members of this House with bland assurances as to the increasing wealth and prosperity of the Indian cultivator, is the hon. Baronet the Member for Evesham. On the occasion of the Indian Budget Debate last Session he delivered to the Committee one of his usual optimist speeches as to the wonderful and increasing prosperity of the people and the lightness of their taxation. In reply I called attention to the more than Draconian Land Revenue Law, the passing of which was his last and chief act as Governor of Bombay, and I asked, why did he find such a law of unparalleled stringency necessary to extort the Land Revenue if the people were prosperous and lightly taxed? I asked, and I now ask, for example, why the hon. Baronet had taken away from the cultivator all appeal against the Revenue collector's claims? Why did he ordain that on default of a single instalment the entire Land Tax of the whole year should become due at once, with interest at a rate unnamed, together with a fine of an amount unspecified, and which can be increased from time to time at the discretion of the Government? Why did he ordain that instead of one-half only the Revenue collector may seize for an arrear the whole of the ryot's crop, leaving the ryot and his family literally starving? Why did he ordain that the lands of a whole village of solvent ryots should be attached for arrears due on a single holding? Worse still, why did he find it necessary to provide that all the solvent and wholly innocent villagers should be subjected to immediate distraint and sale of their property, movable and immovable aye—and also subjected to personal arrest and imprisonment—for no offence whatever, except for the default of a single one of their number? Lastly, why, in the face of all this prosperity, did he find it

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sary to ordain that for the default of a single shilling for a single day the entire holding of a cultivator, with his 30 years' lease, with his crops, plantations, cattle, implements, houses, and improvements, would become forfeited to Government, and the cultivator and his family evicted and thrown upon the world absolutely without grace or notice?

*MR. SPEAKER: I do not see the relevancy of the hon. Gentleman's observations.

MR. SEYMOUR KEAY: I was going to point out that such an inhuman law as this could not possibly have been passed without amendments had the Bombay Legislative Council possessed even a fair amount of Representatives elected by the people of India, and is it not most dangerous that the frightful impoverishment now caused in the Bombay Presidency by the administration of this inhuman law should go on?

*MR. SPEAKER: The hon. Gentleman is not entitled to review the whole condition of India on a Bill of this kind.

MR. SEYMOUR KEAY: My view is that the people are now ground down by the existing legislative enactments, and I wish to warn the Government of the consequences whilst there is yet time. Sir, I can conceive no stronger possible argument for requiring the recognition of the elective principle than the fact that under scientific engines of financial torture, such as the law which I have described, the Indian cultivator is now suffering absolute depletion in silence, because he has not so much as a single Representative by whom he could make his sufferings known to this House, or even to the Indian Government itself. Our Revenue system steepes the people in poverty, yet our officials, one and all, declare that they are rolling in wealth.

*MR. SPEAKER: I am sorry to inform the hon. Gentleman that he is not touching the Bill before the House.

MR. SEYMOUR KEAY: I regret, Sir, that I am precluded from touching the details of this infamous Revenue

system, but I will state broadly the result.

*MR. SPEAKER: The hon. Gentleman must obey my ruling.

MR. SEYMOUR KEAY: I am endeavouring, Mr. Speaker, to obey your ruling most absolutely. Now, Sir, no assertion is more universal amongst our officials than that we only take from the cultivator one-half of the net produce of his holding, leaving him the other half to himself to revel in luxury, after paying for the costs of cultivation, including the support of his family. Sir, this fallacy is so dire that, unless speedily corrected by popular representation, it must of itself be fatal to the Indian Government. In order to show the real truth on this subject, I have myself had an industrial census taken of an average village in the Bombay Presidency; and, if I may venture to ask the further indulgence of the House, I will give a brief abstract of the result. The population of the village is 236 persons, including families. The land farmed is 1,400 acres, and the whole crop of the year valued only 2,900 rupees, because, from sheer poverty, not a vestige of manure is ever put into the soil. Now, if we allow only 10 rupees or 14s. a year for the sustenance of each person, and 8 rupees per year for the sustenance of each of the 58 pair of bullocks required for the cultivation, it appears that the real net produce of the village amounted to 76 rupees only. Nevertheless, the Land Tax and Local Cess extorted from these poor creatures last year amounted to no less than 1,100 rupees, or nearly 40 per cent. of the entire gross produce. How, then, it will be asked, was the assessment paid? The village accounts supply the answer. It was paid by application to the village usurer, who lent the money to the half-starved villagers at an interest of 24 per cent., and the balance which they owe him now amounts already to more than ten years' assessment. Whatever small sums they are able to pay to him, for either interest or principal, are earned not from the land at all, but entirely from the labour of the villagers at other callings in the adjacent town of Sholapore. Now, Sir, there is no

question that this miserable state of things is only kept dark because there are no elected representatives of the people, and it is chiefly in order to hide these things away that popular representation is denied. Our Indian officials detest this Motion, because it would secure a representation under which these horrors would be exposed, and by which the Draconian Laws under which they exist would be repealed. Do our officials desire, or do they fear, to know the truth? If they so desire, why do they not welcome this Motion? Is it not a safeguard to any Government that the people should have a representative channel through which to let their wants be known? Why, then, do they fight so strenuously against opening such a channel? There is only one answer: Because the first thing that elected representatives would do would be to reveal such an appalling picture of poverty and heart-rending sufferings of scores of millions of helpless human beings that the British nation would rise as one man and overturn their entire system. Sir, I repeat that it is only a selfish desire to retain lucrative posts which makes our European officials seek to persuade this House that the natives of India are unfit for representative Institutions. Such men carefully conceal that, before British Rule came to destroy it, there was little else in India except popular Government. I would venture to call attention to the facts on this subject which are given by the famous Sir Thomas Munro, who said—

"In all Indian villages there was a regularly constituted Municipality, by which its affairs, both of revenue and police, were administered, and which exercised to a very great extent magisterial and judicial authority."

To this the famous Sir John Malcolm, one of the highest possible authorities on the subject, adds his testimony as follows:—

"The municipal and village institutions of India were competent, from the power given them by the common assent of all ranks, to maintain order and peace within their respective circles. In Central India their rights and privileges never were contested even by tyrants; while all just Princes founded their chief reputation and claim to popularity, on attention to them."

Some years ago in the Legislative Council of Bombay, the Hon.

Rao Saheb V. N. Mandlik, a distinguished native reformer, afterwards a member of the Governor General's Council, thus charged the British system with having produced atrophy in the political intelligence of a people who had been accustomed from time immemorial to self-government—

"Those who assume incapacity on the part of the people for self-government betray a complete ignorance of the past history of India in general, and of Western and Southern India in particular. I am prepared to admit that the disuse of particular powers of mind and body may cause a partial atrophy of that portion of the organisation.

"The people of this country are perfectly capable of administering their own local affairs. The municipal feeling is deeply rooted in them. The village communities, each of which is a little republic, are the most abiding of Indian institutions. They maintained the framework of society while successive swarms of invaders swept over the country. In the cities also the people clustered in their wards, trade guilds, and punchayets, and showed much capacity for corporate action.

"These facts supply an answer to the sceptics as to our aptitude for self-government. Those who say we are yet to have a trial in the matter appear to forget that they are speaking not of Kaffristan or the country of the Hottentots, but of the inhabitants of a country with a long history, reaching even beyond hoary antiquity, with definite forms of Government, with an extensive and varied literature, and with comprehensive systems of philosophy and ethics, of religion and morals, of natural science—from mathematics up to astronomy, of architecture and engineering, as evidenced by splendid public works and monuments, and of the fine arts. Elective Government was not only not unknown, but so late as the Fourteenth Century a large tract of country on the coast of Western India was actually governed by a Council of four Senators, with a President elected by the people every three years."

And yet this ancient nation, consisting of 285,000,000 of men, is at this day traduced and libelled by an interested bureaucracy, who shout loudly that they themselves possess a monopoly of political and moral virtue, while the natives possess a corresponding monopoly of vice. Sir, I am firmly convinced that no time should be lost in giving to the people an elective voice in expending their own revenues and declaring their own wants. I have no desire to speak as an alarmist, but I say that it is useless for any well-informed and impartial observer to deny that, under our fright-

fully expensive and impoverishing system of government, biting adversity is now fast turning the hearts of the masses of the people against their British masters. As the struggle for bare life becomes harder and harder a deep and sullen sense of wrong is stealing over the length and breadth of the land. It is the result of no single incident. It is the voiceless and ever-increasing growth of gradually accumulating privations. It is not race antagonism of any kind whatever. It is the embitterment caused by the steady advance of pinching poverty; when the daily toil becomes more incessant, and yet the out-turn of the over-cropped field becomes less and less every year; when the little savings, hoarded perhaps for two generations, have to be dug up from the floor of the mud hut and handed over to the Revenue officer; when the scanty meal becomes scantier; when the little condiment eaten with the rice has to be intermitted; the bangle on the arm of the wife or baby has to be sold; the marriage of the daughter has to be postponed till the village money-lender can be induced to advance the where-withal. It is the sense of wrong and injustice when the bread-winner is taken away from his home and imprisoned for debt in the civil gaol. It is the exasperation of a ruined family when their holding is confiscated for arrears of Land Tax, and when its occupant from that hour descends in the social scale, and, ceasing to be a farmer, becomes a landless labourer. Sir, all these terrible truths are far too apt to be excluded from the mind of the Anglo-Indian official as he goes about crying "peace and prosperity." But I venture to say that they furnish perhaps the strongest illustration ever witnessed of the absolute necessity of giving a vast people like the natives of India a representative voice in their own affairs, and the absolute impossibility of safely governing them without giving them such a voice. The late John Stuart Mill had India in his eye when he wrote these well-known words—

"The government of a people by itself has a meaning and a reality, but such a thing as government of one people by another does

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not and cannot exist. One people may keep another as a warren or preserve for its own use—a place to make money in, a human cattle farm, to work for its own profit.”

It remains to be seen whether this House to-day, by rejecting the principle of this Amendment, will decree that India should be retained for a further period as a human cattle farm, or whether by accepting the Amendment they will tell the Indian people that it is their firm intention, cautiously and carefully it may be, but still honestly and really, to develop representative Government among them.

*(9.55.) MR. S. SMITH (Flintshire):

Sir, I have been struck, as I think the House generally must have been struck, by the extraordinary contrast which is observable between the two last speeches to which we have listened (Sir Richard Temple and Mr. Seymour Keay). Each of those speeches was delivered by gentlemen of very long Indian experience, and their statements are so absolutely opposite that it is difficult, if not almost impossible, to believe that these two gentlemen could have lived in the same country. Sir, I am bound to say, from all I have been able to ascertain, that I agree more largely with the speech of the hon. Gentleman who has just sat down (Mr. Seymour Keay) than with the speech of that official optimist the hon. Baronet the Member for Evesham (Sir Richard Temple). I wish it was not so. It is exceedingly painful for an Assembly like this to listen to statements such as have just been made. I hope there may be in these statements some exaggeration. I believe, indeed, that they are somewhat exaggerated; but, at the same time, I believe—and I am sorry to say it—that the statements of the hon. Gentleman who has just sat down represent more truly the situation in India than the statements we are accustomed to hear from the hon. Baronet opposite. My honest conviction is—and I have taken considerable pains to ascertain the truth—that many of the Indian people are suffering from extreme poverty and from an accumulation of grievances which prove the necessity of estab-

lishing in India some kind of local representative Government. There is every desire on the part of the people of this country to act in a manner which will best contribute to the welfare of the people of India; but, Sir, the Government of India is a bureaucracy, and in the nature of things a bureaucratic Government cannot be a perfect Government, and must of necessity generate certain vices. There was a time when it was impossible to govern India in any other way; but the time has now come when it is essential gradually to modify the system and methods of its government if we wish to retain the confidence of the people, and even to maintain our hold upon that country. I rejoiced to listen to-night to the noble speech of the right hon. Gentleman the Member for Midlothian. I do not think the Indian question has ever been raised to a higher level in this House, and in the generous sentiments expressed all friends of India will agree. But I fear that to some extent the right hon. Gentleman has read his own generous sentiments into the Bill, and I much doubt if it will be so interpreted by the ruling classes in India. All friends of India will welcome the suggestions of self-government put forward by the hon. Member for Evesham. But I share the apprehensions of the hon. Gentleman who has just spoken, as to whether any Governor General will have the courage to give effect to the elective principle in view of the official pressure all round him. We have only had one Governor General of recent years who has had the courage to set that opinion at defiance. We know that Lord Ripon introduced a system of Municipal Government into India—a most valuable instalment of Local Government—and we know also that he intended to give larger scope to the natives in the government of their own country. But there was never any Governor General more disliked by the official classes than Lord Ripon was; and I very much doubt if we shall again get a Governor General to act so disinterestedly for the good of the people of India. It was my fortune to travel through India soon after Lord Ripon left the country, and I was struck with the fact that the affection

of the people went out to him as it had never gone out to any Governor General in modern times. It is quite true, as the right hon. Gentleman the Member for Midlothian has said, that the language in which the Bill is couched is ambiguous and unsatisfactory. I cannot myself clearly see the elective principle in it. It may be there, but it is a very small germ indeed. I believe if we had another Lord Ripon the principle of election might be discovered. But if we have an ordinary Governor General I would take the view of the hon. Member for Oldham, that the principle would be non-existent. However, I am glad to think this Bill does mark a certain advance in our method of governing India. It will enable the financial state of India—its very unsatisfactory state—to be discussed once a year in face of the public, and that is a very great gain. It also contains one or two other points of very considerable value. The right to discuss the Budget and to put questions will, however, remain very much a dead letter except so far as it is exercised by elected Members, because clearly those who are nominated by the Government will not do anything that might be inconvenient to the Government. Therefore, unless there is grafted upon the Bill some genuine representation whereby independent criticism and judgment may be obtained the Bill will fail to satisfy Indian expectations. I agree with all that has been said by the hon. Member for Manchester of the value of the Indian National Congress as the mouth-piece of Indian feeling, and if the hon. Member for Evesham would now go back to India after his absence of twelve years he would form a different judgment from that which he has expressed to-night. A friend of my own, an Englishman, was elected to that Congress. The election took place in one of the largest villages in the interior, and the inhabitants were called together in the market place. My friend was put up for the position; he was moved and seconded before a large crowd of people; every one was invited to take part in the proceedings, and he was cordially and unanimously elected by the whole mass of the population.

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And I believe this was the system adopted all over India in choosing the Members of the Indian National Congress. So far from being elected at hole and corner meetings, they were, as a rule, elected by free voting—they were the freely chosen candidates of large masses of the population of India. And I hold that, at the present moment, there is no way of getting at native opinion more reliably than through the Indian National Congress. I am aware it does not perfectly represent the people. Everyone who knows India is aware that it is almost impossible to get any Representative Body which will be a mirror of the endless shades of caste, race, and religion in India, but the Indian National Congress approaches this more nearly than any institution which has existed in India for 100 years. I have read the proceedings with care and have been struck with the moderation and wisdom and statesmanlike ability with which their views have been placed before the public. You will find no Parliament in Europe in which the Debates have been conducted more creditably than in the Indian National Congress. The fact is, we ought to be proud of that Congress; it is our own creation; it reproduces the education we have given to India, and our own sense of liberty and justice. It is indeed an exact copy of ourselves in Indian form. We have transplanted our ideas into India, and we need not be astonished to see them grow up and bring forth fruit. I would say, further, that there is no population more thoroughly Conservative than the population of India. Both Hindoos Mahomedans are essentially Conservative and further removed from anarchy or revolutionary ideas than any other people in the world. And on this ground I think we can treat the Indian people with kindness and confidence, and extend to them a greater degree of power and responsibility than we could safely do to almost any other population in a similar state of civilisation. My belief is if we give representation to India we will be astonished to find how many defects exist in our administration. We will make discoveries which will

not be pleasing to our *amour propre*, we will discover for the first time that India is full of real grievances, and of some real wrongs as well, and we ought to let them have a legitimate outlet instead of sitting on the safety valve and risking an explosion. I agree entirely with the view that our Government in India is much too expensive. It is far too much arranged in the interests of European *employés*. The land is exhausted by a wretched system of agriculture, in some degree the result of the revenue system we have laid down. I doubt that India is not getting richer but poorer, and that the peasantry are loaded up to the lips with debt. And all these grievances need to have an outlet, need to be discussed, faced, and honestly dealt with in place of being hidden and veiled over with optimistic statements. I feel sure if we allow in India the full light of publicity to be thrown upon all the dark corners of our Government, we shall immensely improve that Government, immensely increase our hold on the country, and take a position 100 years hence very much stronger than it would otherwise be. I am told it is very difficult to devise any elective system. I admit you cannot have a complete system any way analogous to what exists in England or America. But why should we not allow a certain number of large cities, through their existing Municipalities, to elect a certain number of Members to the various Legislatures? I think this would be an excellent thing, and I believe it would work perfectly well and form a basis which we could afterwards enlarge. I have no belief in the possibility of any system for India corresponding to universal suffrage; the country is utterly unfit for it; it must have an intermediate system resting on existing bodies and existing associations. I think we could not do better than adopt Lord Dufferin's suggestions. He recommended a tentative scheme of election. When a Viceroy, so essentially Conservative, recommends such a plan, surely the British Parliament will be willing to endorse it. I feel the enormous responsibility that rests upon the people of this country for the government of

India. It is too great and too undivided a responsibility, involving as it does the charge of one-fifth of the human race. A mistake made by our Government might cost the lives of millions of people, and we ought to be glad to devolve some of this responsibility on the people of the country themselves. The previous Under Secretary (Sir John Gorst) admitted that India was under despotic Government. No doubt it is far humaner than that of Russia for example, but it is equally destitute of any trace of representation. It is surely time that this country, which has set the example of Constitutional Government to all the countries of the world, should begin to engraft its own institutions on India. Our system of Government there is only provisional; it cannot last; it must be modified sooner or later, and now, when we are in a time of peace, there is a good opportunity. There is no fear of invasion by Russia at present; but if ever there should be, we shall have to rely on the loyalty of the natives of India, and then we should have to give in a hasty and ungracious manner those concessions which we may now grant considerably and graciously. I hope the Government will give something like an assurance that they will take the generous view put upon the Bill by the right hon. Member for Midlothian, and should they do so, I believe there will be great satisfaction when the news reaches India to-morrow.

*(10.18.) MR. O. V. MORGAN (Battersea): I am in the position of a distinguished Member of this House who said that a three months' visit to India only made him aware of his great ignorance of that country. I feel in that position after three visits. On the whole I like the Bill; I think it is a step in advance, and that is a very great deal, for in dealing with a country like India we have to be very cautious. The Bill increases the numbers and powers of the Members of the Legislative Councils; it gives them power to discuss the Budget and to put questions to what we may call the Ministers. I think that, perhaps, is as important as anything, because at the

present time there are certain Indian newspapers which are never happy unless making false statements against the Government. The Government will now be able, in answer to questions, to admit or deny these statements, and the natives will get to know the real state of the case. I should have been glad to see some change in regard to the Indian Council in London. It is antiquated and its Members are antiquated, because a man who has left India for more than ten years is not in touch with the present state of affairs. I was there ten years ago, and was much struck last winter with the great change that had taken place during that period. I believe no country in the world has changed so much in ten years. The Members of the Council, though eminent men, retired from the Civil Service long since, and there is no Representative of Indian opinion, or even of commerce, on the Council, and that may be the reason why the Government of India has been so slow in the construction of railways. There is great diversity of opinion among the natives as to Representative Government. The Hindoos think it should be on an educational basis; the commercial interest think it should be on an Income Tax franchise; while the Mahomedans, who form one-third of the whole population, are not in favour of it at all. Their reasons are that they are not so well educated as the Hindoos, having neglected their opportunities, though they are now sending their sons to school, and that they are outnumbered by the Hindoos. The Parsees are about equally divided on the point. I had a most interesting conversation with a man in Bombay, who may be considered the only true representative of the working classes. He was formerly an operative, but through his education became the spokesman of his class, and publishes a newspaper in their interest. In reply to my questions he said he hated the National Congress, as it was a Brahmin movement. I said it was rather a Bengalee Baboo movement. He replied that the Bengalee Baboos were the enemies of the working classes as much as the Brahmins. I agree generally with the remarks of the hon. Member for Flint-

shire (Mr. S. Smith), though I do not think there is so much poverty and suffering in India as he has depicted; the agricultural population were last year able to export large quantities of their produce at remunerative prices. There are many difficulties in the way of giving Representative Government to India, but I am glad the attempt is going to be made in a small way. It is wise to introduce the representative principle, because the educated classes are largely increasing in number, many are educated in England and go back to India with English ideas, and they would become more English still if they were admitted to the friendship of the resident English people. I was sorry to see the absolute indifference with which they were treated by the English people. Perhaps this change in the form of Government will bring the two classes nearer to each other. I was pleased with the speech of the right hon. Member for Midlothian, and I hope the Government will give us some further assurance as to their intentions. If the Government give an answer that is at all satisfactory, I hope the hon. Gentleman will not press his Amendment to a Division.

*MR. CURZON: I think the House will agree that we have now arrived at the period when this Debate may well close. I do not think the Government has any cause to be dissatisfied with the course the Debate has taken. We have had a number of interesting and valuable speeches from hon. Members who are fully qualified, by experience or residence in India, to deal with these questions. I was glad, Sir, to observe in all these speeches that the importance of this Bill has been recognised; and, in fact, there has been no attempt on either side of the House to underrate it. The hon. Member for Oldham went so far as to say it was the most important Bill which had been introduced since the Government of India was taken over by the Crown. I was further interested to observe that in the various speeches no serious criticism—certainly no criticism of a hostile character—has been directed

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against the specific reforms and changes introduced by this Bill. The concession of the right of financial criticism, of the right of asking questions, and, finally, the addition to the Members of the Supreme and Provincial Councils, have all met with the approbation of this House. I do not think I have heard a single remark to the contrary. I am, therefore, relieved from the necessity of making another speech on the general provisions of the Bill, and it will only be my duty to make a few observations in reply to particular remarks or queries that have fallen from hon. Members in the course of the Debate. I do not think, Sir, it will be necessary to follow with any great minuteness the hon. Member for North Manchester, who moved the Amendment. He indulged in many interesting and picturesque observations about the National Congress of India, whose meetings he is more fortunate than myself in having attended. I do not think I am called upon to follow the hon. Gentleman through the whole of his speech, but I am bound to notice one statement, for he was guilty of a serious misrepresentation when he said that the system of nomination, as applied to the various Councils in India, is at the present moment a fraud. I am convinced that if he had a wider experience of India he would not have made that statement. There are hon. Gentlemen in this House—at least, two hon. Members—who have filled the position of Governors in India, and I am certain that they can bear me out in the remark that the object of every Governor in India is as far as possible to persuade, and to induce, representatives of even advanced political opinion to join those Councils. [Sir R. TEMPLE: Hear, hear!] That, undoubtedly, was the case with the hon. Baronet who cheers me, and equally so it was the case with the right hon. Gentleman the Postmaster General when he was a Governor in India. And if the hon. Member applies his remarks to the present time, I would like to ask him whether in his knowledge of India he has never heard the names of Peeri Mukuji or Cristodas Pal? These are

names, as the hon. Baronet knows, of very prominent representatives of the advanced section of public opinion in India, and the gentlemen who bear these names were lately upon the Council of the Governor General. In the face of these facts, I am certain that the hon. Member will see that he was, at any rate, misinformed. Then the hon. Member complains of what he calls the inadequate addition that is proposed to the Legislative Councils, and he spoke of the addition proposed by this Bill—an addition both to the minimum and the maximum number of Members—as a modest and inadequate addition. It is the case that Lord Dufferin, whose views have been freely quoted in the course of this Debate, did not himself think that an addition to the numerical strength of the Supreme Council was required; and the problem that you have to face in India is this—not that you have a number of men who are anxious and willing to join the Councils, but that there is a difficulty in obtaining men with both the qualifications of willingness and intelligence who will surrender that portion of their time that is required for the important business of these Councils. I doubt very much whether the hon. Member has a clear idea of the business of the Supreme Legislative Council in India. It is fortunately free from the system that prevails in this House. There is no Queen's Speech or programme of legislation at the beginning of each year. Contrary to the principle that we adopt, the Legislative Council only legislates when legislation is required, and that does not happen invariably, as Members might be led to suppose from the practice of this House. What is the process of legislation in the Council of the Viceroy? Before a measure is ever introduced into the Council—a proposal which very likely relates to some particular part or Province of India—it is referred to the Government of that Presidency or Province, and inquiries of a most wide and comprehensive character are made by competent persons. The Bill is then introduced into the Council and read a second time, and next passes to a Select Committee of experts, who are

really responsible for the final form in which it goes before the Council. The hon. Member should further remember that the Legislative Council of the Viceroy does not, as does this Parliament, sit for six, seven, or eight months in the year. Legislation is only carried on during the Calcutta season. I think the hon. Member will see, therefore, that there is less need for a large addition to the numbers or a larger attendance than he at first supposed. But if he is unwilling to accept my words on the subject I should like to quote to him the opinion of Lord Northbrook on this question of the number of Members. Lord Northbrook spoke as follows in another place :—

"The National Congress and others have recommended a much larger extension of the numbers of the Legislative Councils. I believe myself that the Bill (that is our Bill) goes far enough in that direction. I believe there would be a great difficulty in making any much larger increase in the number of the Legislative Council of the Viceroy, and a substantial increase has been made in the Local Councils. Therefore I think the Bill provides fully for all present needs in respect of the increase of Members."

I do not think I need pursue the subject further, and I will come now to the speech—if I may venture to say so, the wise and weighty speech—with which the right hon. Gentleman the Member for Midlothian (Mr. Gladstone) favoured the House at an earlier period of the evening. The immediate effect of that speech was to eliminate the element of controversy, to a very great extent, from our Debate this evening, and to diffuse a spirit of harmony over these proceedings. The right hon. Gentleman complained, at the outset of his speech, that the language of this Bill was ambiguous, but I was glad to find as he proceeded that the ambiguity was one from which he did not himself draw conclusions that were hostile to the Bill or its framers. I entirely endorse, speaking on behalf of the Government, that part of the right hon. Gentleman's speech in which he said that it is not for us, for this House, to determine a plan or to devise the machinery, but that the means of initiation must be left in the hands of the Government of India. A subsequent speaker, the hon.

Member for Elgin and Nairn (Mr. Keay), has argued that the matter should be settled by this House, but I prefer the opinion of the right hon. Gentleman the Member for Midlothian on that subject. It is the object of the provisions that have been introduced into this Bill, and of that particular sub-section of Clause 1 which I read to the House and which has been the subject of so much discussion, to leave the initiative to the Viceroy of India, subject to the assent of the Secretary of State, and it will be for him to frame the conditions under which these future nominations are made. Hon. Members have more than once asked to-night whether the words of the clause are to be taken as merely complimentary words, and the hon. Member for Elgin and Nairn, of whom I have previously spoken, said that he was prepared to stake his political reputation that this clause would be a dead letter. I am sorry to say for the sake of the hon. Gentleman that I think his political reputation stands in very great peril. Undoubtedly the words of that clause were designedly introduced by the Government, with a clear apprehension of their meaning. I do not think there was any want of clearness in the terms in which I expressed the possible application of that clause at an earlier period of the evening. I endeavoured to give hon. Members to understand that it has been designed to give perfect latitude to the Viceroy in this matter, and that it will admit of the introduction of the principle of representation in India, whether the system be election or selection, or delegation, or whatever the precise method may be that recommends itself to the Government of the Viceroy. I think that it was a very important contribution to this Debate when the Member for Midlothian, speaking with a full knowledge of the enormous responsibility of Indian Government, said that the question of degree, and the manner in which this principle may be carried out, are matters not for the consideration of this House, but primarily for the consideration of the Government of India. I think it would be in the highest degree unwise if this House were to

endeavour to exercise pressure in a matter the handling of which must necessarily be left to those who are better informed than ourselves. I will not further detain the House, and will only say, in conclusion, that I entirely accept the statement of the right hon. Gentleman as to the objects with which this Bill is introduced. They are undoubtedly to enlist in the service of the Government of India what I think he described as the upright sentiment and the enlightened opinion of native society, and if this Bill is discussed with as little delay as possible, and passed into law, I am certain that it will be attended with beneficial results.

(10.42.) MR. PICTON (Leicester): There is, I think, considerable excuse for the ignorant and inexperienced Members of this House to speak on this subject, for the Government of India has been removed from the immediate control of the East India Company to that of the Imperial Government, in which the House of Commons plays a conspicuous part. It is admitted that all Members of Parliament are responsible for the Government of India, and though we may not, perhaps, have a knowledge of all the various languages or of the various modes of Government in the various Provinces, yet we hold certain general principles which we believe should be applied to this Dependency, and we claim the right to express our opinions. In the course of his argument in moving this Bill the right hon. Gentleman said he did not exclude the possibility of the introduction of the principle of election or selection of the Council of the Governor General and of the various Provincial Councils. The hon. Gentleman the Member for North Manchester who moved the Amendment, said that unless the Bill recognised the principle of election it would not be effective. The right hon. Gentleman the Member for Midlothian afterwards spoke and said in words of gravity and wisdom, which were recognised as much on this side of the House as they were on the opposite side, that there was not much difference of opinion between them; but the Under Secretary of State for India in the speech which he has just delivered,

has, I think, gone rather too far in his interpretation of what was said by the right hon. Gentleman the Member for Midlothian. The hon. Gentleman the Under Secretary of State for India said that he endorsed entirely the words of the right hon. Gentleman the Member for Midlothian, that it was not for this House—I do not profess to quote the words exactly—to dictate in detail the measures that ought to be adopted. Of course we all admit that, but I understood—I hope I am not wrong—the right hon. Gentleman the Member for Midlothian to lay down the principle that it was for this House to choose the general principles on which the Government of India was to be carried out. The hon. Gentleman the Under Secretary for India—if he will allow me to say so—is as yet a young man, and it is a great distinction for him at his early age to occupy the high position he does and I congratulate him upon it, but he has not been quite so long a follower of the right hon. Gentleman the Member for Midlothian as I have been, as to be as well-qualified to interpret what is meant by him. I am only sorry the right hon. Gentleman is not in his place at this moment. I quite believe the right hon. Gentleman meant, when he spoke, that it was for this House, for the Imperial Government of this Country to lay down the general principles of equity, under which the Government of the Indian Dependency was to be carried on; and at the same time he admitted—and we all follow him in that—that so far as matters of detail are concerned the Governor General and all the Governors of particular towns must be held responsible for the mode in which these general principles are to be applied. If both sides of the House agree upon this, of course there is no need going to Division. But we have not been told precisely by the Under Secretary of State for India that the right hon. Gentleman the Member for Midlothian was right in his interpretation of his speech. He has not told us that what was meant in Sub-section 4 of Section 1 of the Bill is the gradual introduction of the elective principle into the nominations for the various Councils that

govern the great Dependency of India. If he had said that I do not believe the hon. Member for North Manchester would go to a Division. If I were in his place, unless the Government more distinctly acknowledged that the elective principle must be introduced, and at once, in the selection of Members of the Council of the Governor General and of the other Governors of the Provinces, I should certainly go to a Division. No one on this side of the House thinks that India is prepared for Home Rule in the sense that Ireland has been prepared for Home Rule, but although we believe that India may not be prepared for a complete Home Rule measure, yet we think that India is prepared for a tentative, gradual, and very moderate introduction of the electoral principle and that is all that we ask. Surely, if the Marquess of Dufferin thought that the Government ought to have the means of controlling and neutralising the effect of the moral mischief which accrued from holding up English rule to hatred and contempt, we ought to have some men brought in who are elected by their fellow countrymen. I do not say they ought to dominate or control the action of the Government—very far from it. All I say is that they ought to be able to introduce some elected Members who would be able to communicate to the Government freely the aspirations and feeling of those who had elected them. The Members of all Governments, Liberal as well as Conservative, have spoken in a disparaging manner of the natives of India. I remember some years ago I had to negotiate with a Member of the Liberal Government as to the candidature for a particular constituency, the main Members of which had nominated an Indian gentleman. This Liberal Member of a Liberal Government said: "Do not have that nigger." Well, that was in anticipation of the words of a certain Member of the present Government, who said something about a black man; so that both sides are pretty much tarred with the same brush. Well, I think that something is necessary to bring about a closer and more fraternal sympathy between the subjects of the

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Empire in India and the subjects of the Empire at home. You cannot neglect the fact that the educated natives of India have been studying our constitutional history, that they have been reading the history of the way in which our forefathers wrenched something like liberty and equality from their former tyrants, and they wish to emulate the principles and the aspirations, though not the methods—they do not believe the methods are necessary—of our forefathers. Well, I think we ought to make some allowance for the extension of British culture to India. We leave to the future the gradual development of the elective principle; we would be contented with the most modest introduction of it at the present time.

(11.0.) MR. SCHWANN: I wish to ask the First Lord of the Treasury whether or not he will distinctly state to the House if it is intended by Sub-section 4 of Clause 1 to apply the electoral principle in India? If it is so intended then I am willing to withdraw my Amendment.

MR. A. J. BALFOUR: My hon. Friend is in charge of this Bill, and I trust that it will be left to him to answer the question.

*MR. CURZON: I would say, in answer to the question of the hon. Member, that I do not know that I can add anything to what I have already stated in this House upon the subject. The initiative is left to the Viceroy of India, and it would be an unfortunate thing for the Government or for the House to transfer that initiative to itself.

(11.3.) DR. TANNER (Cork Co., Mid): As one who has listened to this Debate, and who cannot pretend in any sense to have been convinced by what has been said in favour of the Bill, I must express my adhesion to the views enunciated by the right hon. Member for Midlothian—that this clause is both ambiguous and misleading. It is a proposal to place additional power and further emoluments in the hands of the bureaucracy of India. The result of such instalment of so-called representation would be so meagre that it would not be worth having. The subjects of the Queen in India have always been treated as sub-

jects to be trodden under foot. You have only to go to any regimental affair in India to hear them spoken of, not as "Indians" or "natives," but as "niggers." The noble Lord who is at the head of the Government has himself called them "worse than Hottentots." I hope that my hon. Friend will go to a Division on the question, and that those who have had the opportunity of expressing their opinions with regard to it will also endorse them by going into the Division Lobby. The hon. Baronet the Member for Evesham said "Do not give political power to the Hindoos;" but the hon. Baronet, like others who have held positions of trust in India, have always stood by their order and by the bureaucracy. The hon. Baronet also spoke of the mute masses of the people of India, but I would like to ask whether they have not had good reason to be mute, when they are subject to periodical starvation and periodical deprivation? I never had an opportunity of visiting the coral strands of India, nor Greenland's icy mountains but I have always understood that the headmen of the villages in India are peculiarly under official power, and that they are coming more and more in contact with English officials in India. They like to mix with the English snobocracy, and to rub skirts with officials, and by that means they are led by the nose. These are matters which are really not for the welfare of the people of India, and are not intended to raise the character of the people of India. I am convinced that this Bill will not confer upon the Indian people any benefit, as it is not intended to carry out the principle of representation, and, accordingly, I hope my hon. Friend will go to a Division.

*(11.20.) Mr. S. HOARE (Norwich): The House has had the advantage of listening to several Members who have had the good fortune to visit India; and as one who has likewise visited that country, I should like, if the House will bear with me for a few moments, to say a few words. It was said by the hon. Gentleman opposite, the Mem-

ber for Flint (Mr. Samuel Smith), that India is growing poorer every day. Sir, I had hoped that having made that statement the hon. Member would bear it out with some statistics and some facts, knowing as I do how thoroughly well able he is to marshal facts and figures and to explain them to the House. The hon. Gentleman, however, gave us nothing of the kind. Now, Sir, though I cannot claim to be an authority, I may say that during my visit to India I consulted many native authorities, and formed some views which may possibly be as accurate as those of hon. Gentlemen opposite. One view which I formed is this: that India, so far from growing poorer is growing richer, and its trade is becoming larger, and growing almost daily. The railways of India have been increasing at the rate of 1,000 miles a year. Perhaps it may be said that these do not tend to the improvement of the wealth of India. Well, Sir, when twelve months ago I received the Viceroy of India in the middle of the central provinces, and he opened the line of railway that is some 850 miles in length, the great portion of that railway was through uninhabited jungle, where there was no wealth whatever, and yet during the present six months that railway is earning a profit sufficient to pay its guaranteed interest on £7,000,000. Surely that must mean that there is some increase of wealth in that district. Then, Sir, there are the discoveries of coal. I stood a year ago on ground where a few years previously there was no sign of coal, but where now there is a substantial coal-mining industry. The financial position of India is, of course, difficult, owing to the great depreciation of silver, but I cannot allow that this is owing to the method of English rule, or that the progress of India has not been vast during the last 20 years. With reference to the point of establishing some kind of electoral system, I realise the great difficulties attaching to the institution for the carrying out of such a system. I asked the opinion of numbers of my countrymen in India on the subject, and I attach great weight to what they said. When the time comes we shall be glad to place some further power in

the hands of the people of India, but it is somewhat premature to speak of introducing the electoral system. Sir, I hope the statement will not be repeated that India is not progressive, because it is progressing in every part so far as its material wealth is concerned.

MR. SCHWANN: On the whole, though I have not had an altogether satisfactory pledge from the Government, I will ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a second time, and committed for Thursday.

EVIDENCE IN CRIMINAL CASES BILL

[Lords].—(No. 228.)

SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I beg, Sir, to move that this Bill be now read a second time. There has been a universal expression of opinion in favour of the measure which was read a second time last year, and which has been most carefully considered by Lord Herschell and by all the lawyers in the House of Lords, and which meets with their approval.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Sir R. Webster.)

Motion agreed to.

Bill read a second time, and committed for Thursday.

MILITARY LANDS CONSOLIDATION BILL.—(No. 184.)

SECOND READING. [ADJOURNED DEBATE].

Order read for resuming Adjourned Debate on Question [25th March], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

MR. MORTON (Peterborough): I understood the Government was willing

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to assent to the reference of this Bill to a Select Committee, and I should like to have an assurance on that point, as otherwise I do not think it would be right to allow a Bill of this kind to go through the House without some debate and without any explanation. This Bill deals with a question upon which I think we ought not to rush to a decision lest we should afterwards find, as we have found in the Ranges Act, that there is interference with the rights of people for whom no redress is provided. The Bill, I understand, gives the Government power to acquire rights over common land by lease or otherwise, and it does not appear to me, so far as I can understand the clauses, that commoners' rights are properly safeguarded. Now that the Financial Secretary has returned to his place, I put the question to him; is it intended to send this Bill to a Select Committee or a Hybrid Committee in order that the rights of persons interested in common lands may be inquired into and protected?

(11.32.) THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK, Surrey, Guildford): I regret that I should have been absent for I moment. It is the intention, and I believe that has already been announced by my right hon. Friend (Mr. Stanhope) that this Bill shall be referred to a Select Committee where the clauses will be fully investigated in a manner satisfactory to the hon. Gentleman.

(11.33.) DR. TANNER (Cork Co., Mid): It is clearly understood then, that this Bill goes before a Select Committee. I know that many Members on this side of the House entertain objections to the Bill, but they are not present, because they assumed that this Bill, standing No. 11 on list for the day, would not be reached before 12 o'clock. Perhaps there will be less objection if the Bill is threshed out before a Committee and subsequently comes before us. I know that questions of commoners' rights arise, and notably in connection with the establishment of a rifle range in the New Forest. But I have neither power of

voice or the necessary information to discuss the Bill now, but I sincerely hope that proper means will be taken to allay apprehensions I know have arisen, and I think it is a questionable proceeding to attempt to carry this stage of the Bill under these peculiar circumstances, when it would not have been reached but for the dropping of intervening Orders of the Day.

(11.36.) MR. LLOYD - GEORGE (Carnarvon, &c.): I understand that the Bill includes a proposal to take away a large portion of commoners' rights in the New Forest, and I know that in this many Members take an interest, but they had no reason to expect the Bill would be taken and have left the House. I know that my hon. Friend the Member for Northampton (Mr. Labouchere) is anxious to speak on the subject, and it is a question of such public importance that the Bill should not pass without discussion. I know there is a question arises as to the abolition of public rights of way also. Would the Government be prepared to refer the Bill to a Commons Committee empowered to make the usual local inquiry under the Commons Act at the public expense? To put myself in order and to enable the hon. Gentleman to reply, I move the adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(Mr. Lloyd-George.)

(11.39.) MR. BRODRICK: I hardly think it is necessary for the hon. Member to insist on that Motion. With regard to the commons part of the subject, I may mention that the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) who has specially interested himself in this subject expressed himself as perfectly willing that the Bill should go before a Committee.

MR. LLOYD-GEORGE: What kind of Committee?

MR. BRODRICK: An ordinary Select Committee of the House, and I think that inquiry would satisfy hon. Gentlemen for there is nothing in the

Bill calling for special local inquiry. In regard to the New Forest there is a local inquiry proceeding, and upon this a report will be made. This is not dealt with in the Bill. The object of the Bill is simply to consolidate existing Acts, and of course the Committee upstairs will have the opportunity of going into details which a Committee of the whole House would not have. We do not propose by the Bill to reopen all the questions connected with commons; it is simply a consolidation Bill which a Committee upstairs will be eminently qualified to deal with. I think there is a general consensus of opinion in favour of such a course, and I hope the hon. Member will not press his Motion.

(11.42.) MR. SHAW LEFEVRE (Bradford, Central): I hope the hon. Member will not proceed with his Motion for adjournment. I have carefully examined the Bill in the interests of commoners, and I am satisfied that it will be in the interest of commoners that the Bill should pass into law. It is not merely a consolidation Bill for it does remove a very serious difficulty arising out of the Ranges Act passed last year. In reference to this I had the honour of introducing a deputation to the Secretary for War, and the right hon. Gentleman has very fairly met the demand made by the deputation. There was one point I referred to the other night in connection with the New Forest range. Proceedings in reference to that range have been commenced under the Act of last year, and I suggested that an Amendment should be introduced providing that this also should be dealt with under a Provisional Order as is provided in the Bill for future proceedings. Subject to this, I think the Bill is satisfactory and may well be allowed to be referred to a Committee.

(11.45.) MR. S. T. EVANS (Glamorgan, Mid): I do not think my hon. Friend's Motion is unreasonable under the circumstances. This measure comes on unexpectedly. It was not expected that the Debate on the Indian Councils Bill would terminate so early as that the Government, by passing over other

measures, would reach this Bill. Of course I should not be in order if on this Motion I attempted to discuss the Military Lands Consolidation Bill, nor can I say I am well acquainted with its contents, but I may observe that while the Financial Secretary describes it merely as a Consolidation Bill, the right hon. Gentleman on this side (Mr. Shaw Lefevre), who is well acquainted with the measure, says it is not merely a Consolidation Bill. It appears it does include an alteration in the law. There is a difference of opinion, and there should be a full statement of the contents and discussion if necessary before we dispose of the Second Reading. The short time at our disposal does not permit of a full examination of this Bill of 30 clauses, and I think an adjournment now is only reasonable.

(11.47.) MR. JEFFREYS (Hants, Basingstoke): I may be allowed to point out the fact that there is one clause in the Bill, the 25th, excluding the New Forest from the scope of the Bill, and I have reason to know from local knowledge that local opinion is in favour of the Bill.

(11.47.) MR. MORTON (Peterborough): I should like to be able to advise my hon. Friend to withdraw his Motion, but first I should like to know whether the Bill is to be referred to a Committee of seven Members, or whether it will simply go before the usual Select Committee of four Members? If the Bill goes before a Hybrid Committee with an assurance that all interests will be considered, perhaps we might allow the Second Reading to be taken now. The New Forest people may be protected, but there are other commoners who require protection.

(11.48.) MR. FLYNN (Cork, N.): I am sorry I cannot agree with my hon. Friend (Mr. Morton). There are clauses which, as applied to Ireland, require very serious consideration. There are powers to be given to the War Office over foreshores and tidal waters adjacent, and there have been very serious complaints as to the method of carrying on torpedo practice. There is a contention now going on between the War Office and the Har-

bour Authorities as to the firing in Cork Harbour.

MR. SPEAKER: I must remind the hon. Member that it is a Motion for Adjournment which is before the House.

MR. FLYNN: The fact that I am precluded from going into the merits of the Bill is in itself an argument for Adjournment. The Bill contains much controversial matter which cannot be disposed of to-night, and if debated at all it must occupy a couple of hours.

(11.49.) MR. PHILIPPS (Lanark, Mid.): I hope the Motion will be accepted. I know that the hon. Member for Northampton desires to speak on the Bill, and naturally he did not expect that the Orders of the Day would be disposed of in a few minutes that this Bill might be reached. The hon. Member for Hants (Mr. Jeffreys) has spoken of the New Forest, but the district is not within his constituency, and I should be more satisfied if the Member representing them expressed the opinion of the commoners there. In these 30 clauses questions arise that concern the whole country from Scotland to the New Forest, and I do not think we ought to be asked to dispose of the Second Reading in this hurried and unexpected manner.

(11.50.) MR. BRODRICK: May I be allowed to explain that the War Office have nothing to gain by pressing the Bill forward? Every power the Bill contains the War Office already have; nothing in the Bill extends those powers, and whatever change is proposed is in the direction of a limitation of the power of the War Office. Should the House decline to proceed with the Bill, the position will be that the War Office will have more extended powers than they would have in the future if this Bill were passed. So far as the Government are concerned, they have no reason to press the Bill. Our desire is to meet objections raised by hon. Members on the other side to the Ranges Act passed last year. The right hon. Gentleman (Mr. Shaw Lefevre) admits that those objections are met, and I hope, therefore, that the Bill will be allowed to go to the Committee.

(11.51.) DR. TANNER: The hon. Gentleman must have *raison de quoi*—he should have told us all about it at the commencement of the Debate. Have we not often found the Government trying to smuggle a Bill through late at night? The Bill applies to Ireland, and it must be debated if there are objections to it. I think the Government should be satisfied with the progress they have made with their business to-night, and I hope they will not allow their desire to get the better of their good sense.

(11.52.) MR. WALLACE (Edinburgh, E.): I hope the Debate will not expire in this uninteresting manner. I have listened to the reduplicated explanations of the Financial Secretary, and, accepting them in the spirit in which they are offered, I cannot say they carry conviction to my mind. They did not seem consistent with themselves or calculated to promote the object he professedly has in view. I understand that the last argument of the hon. Gentleman was directed to this point; that if he lost on a Division his Department would be gainers. Well, it seems to me that on the face of it that is paradoxical and to a certain extent unintelligible. I cannot see if it is to the interest of the Department he represents to lose a Division why he should persist in persuasion against proceeding to a Division. That the Bill should be hurried on in itself excites suspicion. Many hon. Members interested have left the House under the impression the Bill would not be taken, and I am not free to assume that were they present they would be influenced in favour of the Bill by the considerations the hon. Gentleman has advanced. If the hon. Gentleman had been officially convinced he would have put his views in a way more consistent with his first argument.

(11.57.) MR. A. J. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes 133; Noes 63.—(Div. List, No. 54.)

(12.10.) Question put accordingly, "That the Debate be now adjourned."

The House divided:—Ayes 56; Noes 140.—(Div. List, No. 55.)

(12.20.) MR. A. J. BALFOUR claimed, "That the Original Question be now put."

MR. SEXTON (Belfast, W.): On a point of Order, Mr. Speaker. I wish to ask you if the right hon. Gentleman is in Order in taking that course?

*MR. SPEAKER: There is no necessity for a further Motion, the Division already taken lead up to a decision on the Main Question.

MR. SEXTON: What I wish to ask, Sir, is whether the Motion of the right hon. Gentleman is superfluous, whether the putting of the Main Question follows on the Original Motion for the Closure?

*MR. SPEAKER: There can be no further debate on the Main Question. The right hon. Gentleman having moved that the Question be now put, and that being carried applies to the Original Motion. The proceeding is in order. I am acting under the Standing Order of the House.

(12.20.) Original Question put accordingly, "That the Bill be now read a second time."

The House divided:—Ayes 153; Noes 44.—(Div. List, No. 56.)

Bill read a second time.

Motion made, and Question proposed, "That the Bill be referred to a Select Committee."—(Mr. Brodrick.)

COLONEL NOLAN: I should like to speak upon that Motion.

*MR. SPEAKER: Further proceedings stand over if objection is taken.

It being after Midnight, the Debate stood adjourned.

Debate to be resumed to-morrow at Two of the clock.

SHORT TITLES BILL [Lords].

(No. 227.)

Read a second time, and committed for Thursday.

SAVINGS BANKS ACT (1891) AMENDMENT BILL.—(No. 210.)

Order for Second Reading read, and discharged.

Bill withdrawn.

LOCAL GOVERNMENT ACT, 1888 (COMPENSATION APPEALS).

Return ordered—

"Of all Appeals to the Lords Commissioners of Her Majesty's Treasury under the Compensation Clauses of 'The Local Government 1888,' in consequence of County Councils having refused (a) to grant, (b) to assess the amount of Compensation (as in the case of the Treasurer of Middlesex) to transferred and other Officers who have suffered loss by the operation of the Act, giving in such Return (1) the annual amount of alleged loss and length of service; (2) the amounts of Compensation asked; (3) the result of the Appeals; (4) the reasons for the Grants or the Refusals."—(*Mr. Dixon-Hartland*.)

ARMY (OFFICERS' SERVICE).

Address for—

"Return showing the length of service (from date of first commission) of Lieutenants promoted to Captains, Captains promoted to Majors, and Majors promoted to Lieutenant Colonels, in each year respectively for 1886, 1887, 1888, 1889, 1890, and 1891, in the following British services, namely, Royal Artillery, Royal Engineers, Cavalry, and Infantry of the Line."—(*Mr. King*.)

POOR LAW (INDOOR AND OUTDOOR RELIEF) (IRELAND).

Return ordered—

"Showing, in respect of each Union in Ireland, the number of persons of each sex of 65 years of age and upwards, and the number under 65 years of age who had attained 16 years of age, and the number of children under 16 years of age, in receipt from the Boards of Guardians of Indoor Relief and Outdoor Relief respectively on the 1st day of January, 1892, and at any time during the twelve months ended at Lady Day, 1892:

"In order to avoid duplicate reckonings, persons relieved during the twelve months to be entered in the Return according to their ages when they were last relieved during the twelve months, and as Indoor and Outdoor Paupers according as they received Indoor or

Outdoor Relief last during the twelve months non-resident paupers to be included **only** in the Returns of the unions to which they were chargeable."—(*Mr. Mahony*.)

HIGH COURT OF JUSTICE (ASSIZES).

Address for—

"Return of the time occupied by the Judges of the High Court in holding Courts at the Assizes held in the year 1891 (in continuation of Parliamentary Paper, No. 282, of Session 1891)."—(*Mr. Henry H. Fowler*.)

RAILWAY COMMISSIONERS (SITTINGS).

Return ordered—

"Showing the number of the days on which the Railway Commissioners held Sittings in the years 1889, 1890, and 1891."—(*Mr. Henry H. Fowler*.)

PUBLIC ACCOUNTS (NAVY VOTES).

Paper [presented 25th March] to be printed. [No. 127.]

GOVERNMENT INSURANCES AND ANNUITIES.

Accounts presented, — of Moneys received and disposed of, and of Contracts for the grant of deferred Life Annuities and for payments on death, made during the year ended 31st December 1891 [by Act]; to lie upon the Table.

ARMY (ORDNANCE FACTORIES).

Copy presented, — of Annual Accounts of the Ordnance Factories for the year 1890-91 [by Act]; to lie upon the Table.

EAST INDIA (BEHAR CORRESPONDENCE).

Return presented, — relative thereto [Address 8th March; *Mr. Herbert Knatchbull-Hugessen*]; to lie upon the Table.

House adjourned at twenty-five minutes before One o'clock.

HOUSE OF LORDS,

Tuesday, 29th March, 1892.

POST CARDS.

QUESTION—OBSERVATIONS.

LORD LAMINGTON: I beg to ask Her Majesty's Government whether cards conforming in size, weight, and shape with Post Office regulations will be allowed transmission through the post with an adhesive halfpenny stamp, as is already permitted when the matter written on the cards is identical, as in the case of circulars; whether the actual cost of the cards is an expense to the Government, or whether they make a profit on the sale; and, in the latter case, what justification there is for the Government making a profit on the sale of stationery; what objection there is to the public supplying their own cards; and whether, as the question has been some years under the consideration of the Departmental Committee of the Post Office, they have yet come to a decision?

THE SECRETARY OF STATE FOR INDIA (Viscount Cross): I have been requested to answer the question of the noble Lord. I am afraid the only answer I can give is that the question is still under the consideration of Her Majesty's Government; that the prices charged to the public leave a slight margin of profit, but against this is to be set the cost of distribution, which is considerable.

LORD LAMINGTON: My Lords, that would be an argument in favour of allowing the public to supply their own cards.

STAMPING THE HOUR OF COLLECTION ON LETTERS.

QUESTION—OBSERVATIONS.

LORD LAMINGTON: I beg to ask Her Majesty's Government whether for the more certain and more rapid transmission of letters, they will adopt the system of stamping the hour of collection on letters as is already done in Canada, Australia, and America, and was once the custom in this country?

VISCOUNT CROSS: The answer I have to give to the noble Lord is to the following effect:—The adoption of the system of stamping the hour of collection in figures upon all letters passing through the post would not tend to greater certainty or rapidity in the transmission of the letters, and would not be more effective than the present system of postmarks in enabling the Post Office to trace delays; nor would it show the actual hour of posting or the course of the letter, which might have to pass through several offices. It could only show the hour at which the letters were brought into the office at which the first stamping took place. Figures were, it is true, at one time introduced into the London postmarks, but the practice was found to give rise to a good deal of misunderstanding on the part of the public, and to lead to complaints which had no foundation. It was on this account eventually abandoned.

COUNTY COUNCILS AND BILLS, SCOTLAND.

QUESTION—OBSERVATIONS.

THE EARL OF CAMPERDOWN: My Lords, it happened that last year on more than one occasion Bills were brought forward which affected county finance and county administration in Scotland, and that those Bills passed, or very nearly passed through Parliament without the County Councils having had an opportunity of expressing any opinion upon them. I brought the matter under the notice of the Secretary of State for Scotland last year, and he told me that he would take steps to convey the information in future in such cases to the County Councils. My Lords, during the present Session one Bill has been introduced and passed through this House so rapidly that it was impossible for the County Councils to consider it, and there are pending in the other House at the present time Bills, some introduced by private Members, and I think one, at all events, introduced by the Government which also the County Councils have had no opportunity of considering. I should like therefore to ask the Secretary for Scotland what steps have been taken to ensure that

all Bills specially affecting counties in Scotland should be brought under the notice of the County Councils in Scotland before being passed by Parliament?

*THE SECRETARY FOR SCOTLAND (the Marquess of LOTHIAN): I suppose the noble Earl is referring to what I stated last year on the Amendment to the Public Health (Scotland) Act Amendment Act when I said that I had given instructions that if possible such Bills should be distributed to the County Councils before they passed through Parliament. I stated at the same time that it was not part of my official duty to do so. I may state that I had made arrangements and hoped it would have been possible to carry them into effect, but I found, in endeavouring to do so, that really in practice it was not feasible. I think the noble Earl will agree with me that, unless this proposal which he now makes could be carried out in its entirety, it would be very undesirable to try it at all; because the County Councils would rely upon the Scotch Office to send them all Bills, whether private or public, and, if they did not get them, they would suppose that the Bills had either been dropped or were not to be pressed. I think that would be a very undesirable state of affairs. My Lords, the fact is that it is quite impossible for my Office to undertake this duty. What had always been done previously to the passing of the Local Government (Scotland) Act was that those interested in any Bill, the Commissioners of Supply, either through agents in London or through Members of Parliament who might be interested in them, always had the Bills sent down to them for consideration; and I cannot see why that system should not now be carried into effect. I am afraid I cannot undertake, on the part of the Government, to forward every Bill, either public or private, to the County Councils for their consideration. At the same time I hope the noble Earl will not misunderstand me; I trust he will bear me out in saying that I have consulted, as my desire is on all possible occasions to consult, the views of the County Councils before legislation is passed—I mean in all practical and proper ways. My Lords, the Roads

The Earl of Camperdown

and Bridges (Scotland) Bill, to which my noble Friend referred, is a Bill that affects the County Councils very considerably I admit; but, as I stated to your Lordships at the time, I was unable to postpone that Bill, even if Amendments might be desired, because it is absolutely necessary that the Bill should pass through Parliament without any delay whatever. If that Bill had been referred to the County Councils it would not have been possible to pass it before June or July, which would have been much too late for the purposes with which it is intended the Bill should deal. Therefore, while I am afraid I cannot undertake to send all Bills to the County Councils for consideration, my answer to the noble Earl is that I will do what I have hitherto done—take every proper step to ascertain their views upon any Bill that may be brought before Parliament.

CONVEYANCING AND LAW OF PROPERTY ACT, 1881, AMENDMENT BILL.

Reported from the Standing Committee with amendments; the Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 55.)

POOR LAW (IRELAND) AMENDMENT BILL.

Reported from the Standing Committee without amendment; and to be read 3^a on Thursday next.

LABOURERS (IRELAND) ALLOTMENTS BILL.

HARES BILL.

Reported from the Standing Committee, with an amendment to each Bill; the Report thereof to be received on Thursday next.

LOCAL GOVERNMENT (SCOTLAND) ORDER (GLASGOW, &c.) BILL [H.L.]

A Bill to confirm an Order of the Boundary Commissioners for Scotland, relating to the burgh and city of Glasgow, the burgh of Renfrew, and to the parishes of Cathcart, Eastwood, Govan, and Renfrew, in the Counties of Lanark and Renfrew—Was presented by the Lord Ker (M. Lothian); read 1^a; to be printed, and referred to the Examiners. (No. 56.)

House adjourned at twenty minutes before six o'clock.

HOUSE OF COMMONS,

Tuesday, 29th March, 1892.

The House met at a quarter after Ten of the clock.

MESSAGE FROM THE LORDS.

That they have agreed to,—Consolidated Fund (No. 1) Bill; Army Annual Bill; Millbank Prison Bill, without any Amendment.

ROYAL ASSENT.

Message to attend the Lords Commissioners:—

The House went;—and being returned;—

Mr. SPEAKER reported the Royal Assent to,—Consolidated Fund (No. 1) Act, 1892; Army (Annual) Act, 1892; Betting and Loans (Infants) Act, 1892; Millbank Prison Act, 1892.

QUESTIONS.

RUSSIAN JEWISH EMIGRANTS.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs if any information has been received to the effect that an extraordinary exodus of Jews is likely to take place from Russia in the course of the spring; and in such case, if Her Majesty's Consuls will be instructed to warn the emigrants by public advertisement in the Russian and Polish Press, and all possible means, that as there are large numbers of our own countrymen unable to find full industrial employment, there is no room for more foreign workers in the United Kingdom? In asking this question of my hon. Friend, I beg also to inquire if he is aware that the latest Return of Alien Immigration shows an increase of 1,074 or 25 per cent. in the number of European Aliens arriving in England during January and February, 1892, over the same period last year, bringing the number not *en route* to America up to nearly 5,000 in the two months?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): My attention has not been called to the Return mentioned by my hon. and gallant Friend, but, as he is aware, the matter would not come under the consideration of the Foreign Office, but of the Board of Trade. With regard to the question as given notice of, I have to say that Her Majesty's Ambassador at St. Petersburg has reported that Mr. Arnold White sees reason to apprehend such an exodus as is referred to. Instructions have been despatched through the British Embassy to Her Majesty's Consuls and Vice Consuls to warn emigrants against coming to this country.

MR. OCTAVIUS V. MORGAN (Battersea): Is the hon. Gentleman aware of the stringent measures adopted by the German Government to prevent any of these 300,000 pauper emigrants going to Germany?

MR. J. W. LOWTHER: I have only seen the telegrams which have appeared in the Press in the last day or two with regard to the action of the German Government, but I do not think any official information has been received.

MR. J. LOWTHER (Kent, Thanet): Arising out of this question, I beg to give notice that on Friday I will ask the First Lord of the Treasury whether under the circumstances and the extent of the evil represented, it is the intention of Her Majesty's Government to ask for any legislative powers to deal with the matter?

MR. BARTLEY (Islington, N.): In reference to his answer, may I ask the hon. Gentleman whether the Consuls have any power in these matters, and is the giving warning likely to be of any use?

MR. J. W. LOWTHER: No; I do not think they have any power, but we thought it well—and at least it can do no harm to have it publicly announced—to take steps to have the information brought to the notice of those who intend to come to this country.

THE "CROFTERS' ACT" IN THE OUTER HEBRIDES.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Lord Advocate whether he is aware that the Secretary for Scotland has received repeated complaints from crofters in the Islands of Boreray, Benbecula, and other places in the Outer Hebrides, to the effect that extension of holdings, granted them under the Crofters' Act, has been suspended for two years by appeals on the part of the landlords; and whether he will be so good as to use his influence to insure an immediate sitting of a full Court of the Commissioners to dispose of the appeals, and prevent the crofters losing for another season the full benefits of the extension granted?

***THE LORD ADVOCATE** (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I am informed that the Secretary for Scotland has received an application from some crofters in Benbecula desiring him to make arrangements for an early hearing of certain appeals, which have only recently been lodged, against orders made at the end of last December, and I have to inform the hon. Member that these appeals will be heard as soon as the Commissioners have disposed of other more urgent business. No applications have been received from the other districts mentioned in the question.

THE SURREY COUNTY COUNCIL ELECTION—REIGATE DIVISION.

SIR W. FOSTER (Derby, Ilkeston): I beg to ask the President of the Local Government Board whether he is aware that at the recent election for a member of the Surrey County Council, Reigate, Western Division, the Returning Officer refused to give a casting vote, and sent the writ back, "No Election;" "F. E. Barnes, 500; J. Seex, 500;" and whether he will order a fresh election, or state what steps will be taken to remove the deadlock?

***THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. RITCHIE, Tower Hamlets, St. George's):

the Borough because the votes given for the two candidates were equal in number and the Returning Officer had declined to give a casting vote. It appears to be a matter of regret that the Returning Officer did not exercise the power conferred upon him by the Statute of giving a casting vote in a case of equality of votes; but under the circumstances I apprehend that, if it is desired that a further election should be held, the only course is to apply to the High Court for the issue of a mandamus for the purpose.

SALE OF ENCLOSED LANDS—1 AND 2 WILLIAM IV.

SIR W. FOSTER: I beg to ask the President of the Local Government Board whether he is acquainted with any instances in which land enclosed for cultivation as allotments under 1 and 2 William IV., Clause 42, has been sold; whether the proceeds of such sales, if any, are devoted to Poor Law purposes, and whether all such sales are reported to the Local Government Board?

***MR. RITCHIE**: I am only aware of two instances in which portions of land which has been enclosed for allotments under 1 and 2 William IV., Clause 42, have been sold. In one case the land was acquired under compulsory powers for School Board purposes, and in the other case the portion of the land sold was purchased by the Guardians of the Union as a site for a relief station. The dividends on the proceeds of these sales are applied in aid of the Poor Rate of the parish, with the exception that a portion of the sale produce was applied to the repayment of a debt in respect of a public Free Library. Lands enclosed under the Act referred to, unless they are purchased under powers of compulsory purchase conferred by Parliament, can only be sold with the consent of the Local Government Board.

SIR W. FOSTER: Does the Local Government Board receive notices of all such sales?

***MR. RITCHIE**: Unless acquired under powers of compulsory purchase they cannot be sold without the sanction of the Board. If they were acquired

IMPORTATION OF LIVE CATTLE.

MR. CAVENDISH BENTINCK (Penryn and Falmouth): I beg to ask the President of the Board of Agriculture whether he can state the reasons which have led to the issue of the recent Order prohibiting the importation of live animals from Spain and Portugal; and whether, in view of the inconvenience caused to importers and others at Penryn and Falmouth, in Cornwall, and other ports in England, he can hold out any hope of the Order being repealed at an early date?

MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): Before my right hon. Friend answers that question may I be allowed to supplement it with another question, of which I have given my right hon. Friend private notice; whether in view of the spread of foot-and-mouth disease owing to the importation of live animals from abroad, and seeing that such importation of live animals amounts to one per cent. of our entire consumption, he will take steps to stop the importation altogether?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I think I can answer my hon. Friend behind me at the same time I answer the question on the Paper. I have been induced to issue the recent Order because of the spread of foot-and-mouth disease on the Continent. The last intelligence which we have received mentions the appearance of the disease in Holland in spite of the rigid precautions against it which are taken by the Dutch Government. The importation of animals from Holland was fortunately prohibited by the Board some weeks ago, and I have now thought it right, as a measure of precaution, to prohibit the landing of animals from the remaining countries of Europe from which the importation is comparatively trifling. I cannot hold out any hope of the Order being withdrawn so long as foot-and-mouth disease prevails on the Continent.

INSANITY OF CONVICT CLARKE.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the Secretary of State for the Home Department whether he can give the date upon which a prisoner

named Clarke showed signs of insanity, the date upon which the medical officer of Portland Prison first reported him insane, and the date of Clarke's removal to Broadmoor Convict Asylum?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): This prisoner was first visited by the medical officer in December last, was certified insane on 17th February, and removed to Broadmoor on 26th February.

THE CASE OF DR. GALLAGHER.

MR. P. O'BRIEN: I beg to ask the Secretary of State for the Home Department whether he will allow an independent medical expert to examine Dr. Gallagher, a prisoner in Portland Prison, as to his sanity, if the expense of such examination is borne by Dr. Gallagher's friends?

MR. MATTHEWS: I can only repeat the answer I gave yesterday. There are no reasons why I should allow an independent medical examination.

MR. P. O'BRIEN: The right hon. Gentleman does not propose to have any additional examination to that of the prison doctor?

MR. MATTHEWS: Not at present.

IRISH DRAINAGE BILL.

MR. COX (Clare, E.): I beg to ask the Attorney General for Ireland whether he can now state when he intends introducing his Irish Drainage Bill?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): My right hon. Friend the Chief Secretary hopes to be able, in a few days, to introduce a Bill dealing with the subject.

TRUANT SCHOOLS FOR SCOTLAND.

MR. LENG (Dundee): I beg to ask the Lord Advocate whether he is aware of the views entertained by School Boards in several large cities and burghs in Scotland relative to the expediency of extending to Scotland the powers of English School Boards to establish truant schools; and whether he will introduce a short Bill to confer on School Boards in Scotland these powers during the present Session?

*SIR C. J. PEARSON: I am aware of the feeling which exists in several of the larger burghs in favour of extending to Scottish School Boards the power of establishing truant schools. I think myself that the extension would be beneficial, but I cannot hold out much hope of legislation on the subject this Session.

PENSIONS TO CRIMEAN AND INDIAN MUTINY VETERANS.

MR. LENG: I beg to ask the Financial Secretary to the War Office whether he is aware that the Chelsea Hospital Commissioners are issuing to Crimean and Indian Mutiny soldiers who are applicants for special pensions a schedule containing 22 elaborate questions requiring much time to answer, while the signature must be attested by a Magistrate, and that again certified as being known to a clergyman or military or naval officer, who must further declare his belief that the oldier's statement is true and complete; and that appended to all these formalities is a certificate, to be signed by a clergyman, inspector or superintendent of police, that the applicant is "without means of support and in destitute circumstances;" and whether it has been foreseen that the effect of such a condition will be to relieve the poor rates by securing pensions for men now depending on parish support, and to exclude applicants who have endeavoured to maintain their independence and self-respect and are not wholly without means of support or absolutely destitute?

THE FINANCIAL SECRETARY,
WAR DEPARTMENT (MR. BRODRICK,
Surrey, Guildford): The paper of questions issued to applicants for these special pensions contains only such inquiries as are necessary to preclude imposture and to enable the Commissioners to select the cases in which pensions are most required. These pensions are compassionate, and men in necessitous circumstances must necessarily be preferred; but of the 100 cases dealt with this year very few were in receipt of parish relief.

POSTAL AND MONEY ORDERS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General will he explain why postal orders may be purchased at any time during business hours at a post office, whereas money orders can only be obtained between 10 a.m. and 4 p.m.; and whether he will give directions that money orders shall be issued at any time during business hours; or, at least, that the hours of issue shall be greatly extended?

*THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): The issue of money orders is a business requiring care, and it can be entrusted only to an officer experienced in this particular branch of duty. To require the attendance of such officers during the whole time in which post offices are open would involve considerable additional cost, which would seem to be unnecessary, as there is little demand from the public for money orders after the usual hours. The sale of postal orders on the other hand requires no special skill or knowledge, nor the keeping of any special account, but is like the sale of stamps, and can be undertaken by any officer and at any hour.

RESTRICTIONS ON IRISH CATTLE TRADE.

MR. PINKERTON (Galway): I beg to ask the President of the Board of Agriculture if he is aware of any cattle disease within the cordon drawn by the Londonderry Board of Guardians, which district includes the Counties of Derry, Donegal, Tyrone, Fermanagh, Leitrim, Sligo, Mayo, Galway, Roscommon, the Poor Law Union of Cavan, and the Union of Longford; whether his attention has been directed to a resolution passed by the Derry Board, protesting against the stoppage of cattle drawn from that district at English and Scotch ports, and thereby prevented reaching the markets in the interior; and if he finds, on inquiry, there is no disease of any kind within this district, he will take steps to remove all restrictions upon the exportation of cattle drawn from that protected area?

MR. CHAPLIN: As I stated in reply to the hon. Member for Donegal on Thursday last, I felt it necessary to prohibit the removal inland of animals landed in Greenock and Glasgow, not because I had any reason to believe that foot-and-mouth disease existed within the Derry cordon or in any part of Ireland, but because a somewhat serious outbreak had occurred not long ago in Glasgow, and if movement inland from Glasgow and that neighbourhood had been allowed at that time, the risk of spreading the disease would have been very great. I am happy to say that I have now felt myself justified in removing the prohibition against the movement of animals out of Renfrewshire, and there is now no reason why Irish cattle should not be landed at Greenock and sent inland to those counties which do not object to receive them.

THE WEARING OF THE SHAMROCK

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Financial Secretary to the War Office if it is a fact, as stated, that Staff officers were observed, on the 17th March, wearing the green in uniform on duty in camp at Aldershot; that one regiment was played to Divine Service with a bunch of shamrock stuck in every helmet; and whether, in view of the fact that there seems to be no objection, in principle, to the wearing of national emblems on national festivals by soldiers, their doing so in future should be generally allowed?

MR. BRODRICK: The Commander-in-Chief has no knowledge of the circumstances stated in the question, and His Royal Highness considers it desirable to leave all such questions to the discretion of the commanding officer.

FOOT-AND-MOUTH DISEASE IN KENT.

MR. H. T. KNATCHBULL-HUGESSEN: I beg to ask the President of the Board of Agriculture whether he can now see his way to rescind or to relax the orders with respect to the moving and selling of sheep and oxen in the County of Kent?

MR. CHAPLIN: I regret to say that an outbreak of foot-and-mouth-disease occurred on Saturday last, the

26th inst., at Pheasant's Farm, Milton, near Sittingbourne, with which locality the hon. Member is well acquainted. Another occurred at Neats Court, Minster, yesterday which was reported to us this morning. Under these circumstances, I do not see my way to make any further relaxation of the existing orders at present.

ROYAL SMALL ARMS FACTORY.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Financial Secretary to the War Office if, considering that Section 4 of "The Superannuation Act, 1887," provides a gratuity on discharge to workmen employed in the Royal Small Arms Factory for not less than seven years, the Director General of Ordnance Factories has published a notice in the factory that he will not recommend for gratuity any *employé* with less than twelve years' service; and, if so, by whose authority the Act has been overridden?

MR. BRODRICK: The Act is purely permissive, and the seven years was the minimum service for which a gratuity could be awarded. Having regard to the fact that in the Ordnance Factories and the Naval Dockyards the full market rate of wages is paid, and that such gratuities are not given in the private trade, after full consideration it was not thought that a less period than twelve years could be applied to such establishments.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office whether it is a fact that the Superintendent of the Royal Small Arms Factory, Enfield, has written to the War Office, pointing out the seriousness of the proposed discharges of workmen from the factory; and, if so, will he lay the letter upon the Table?

MR. BRODRICK: No special representation has been made on the subject, but the Secretary of State has been in constant communication with the Superintendent at Enfield to avoid all unnecessary discharges.

THE BEHRING SEA DIFFICULTY.

MR. GOURLEY (Sunderland): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government, before refusing the request of the United States Government for a renewal of the *modus vivendi* of last year regarding seal fishing in Alaskan waters, had under their consideration the telegraphic Despatch of the hon. Member for the Kirkdale Division of Liverpool, Her Majesty's Special Commissioner, in which he stated that "the renewal of last year's prohibition and the 7,500 limit would be beneficial"; if so, will he state why the policy thus indicated is not being followed?

MR. J. W. LOWTHER: It is not correct to say that Her Majesty's Government have ever refused the request for a renewal of the *modus vivendi*. The conditions under which Her Majesty's Government are prepared to agree to a renewal are fully set out in the papers published yesterday. The hon. Member has not accurately quoted the Despatch of the 9th March from the Special Commissioner, who stated therein that he was of opinion that the taking of one season's limited crop could not injure the seal herd, but that the renewal of last year's prohibition and the 7,500 limit would be beneficial although not necessary. That policy is being followed, subject to the conditions considered necessary by Her Majesty's Government, in the interest of British subjects engaged in the industry.

IMPRISONMENT WITH FLOGGING.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether he is aware that at the Newcastle Quarter Sessions in October last a man was sentenced by the Recorder (Mr. Digby Seymour) to a year's imprisonment and three whippings of twelve lashes each, one whipping to be inflicted at the beginning of the imprisonment, the second at the end of six months, and the third a week before the man's liberation; if so, what was the nature of the offence; what was the form of

the indictment; and under what statutory authority was the sentence imposed?

MR. MATTHEWS: The prisoner in this case was convicted of indecent offences towards three different women. The proceedings taken were under 5 George IV., c. 83, ss. 4 and 10. The Recorder subsequently recommended that the second and third whippings should not be inflicted, and this part of the sentence has been remitted.

PREVENTION OF CRIMES ACT—
THAMES POLICE COURT.

MR. PICKERSGILL: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Jeremiah Cronin, who was charged at the Thames Police Court on Tuesday last under the Prevention of Crimes Act, with failing to report himself, when the learned Magistrate (Mr. Mead) remanded the prisoner for summonses stating the specific charge to be served on him, and is reported to have said—

"At present there is no evidence of any direct charge. I have already pointed out the loose way in which these cases are prepared by the Authorities;"

who is responsible for the proceeding against Cronin; whether the preferring of such charges under the Prevention of Crimes Act has to be specially authorised by any official; and whether he will take steps to secure that the said Act shall be enforced only in a careful manner?

MR. MATTHEWS: I hear from the learned Magistrate that this case will be before him to-day, and, under the circumstances, it is not expedient that I should reply to the hon. Member's question.

COLONIAL COMMERCIAL LEAGUES.

COLONEL HOWARD VINCENT: I beg to ask the First Lord of the Treasury whether the self-governed Colonies are free to form a Commercial League among themselves, and to admit foreign nations thereto, but that Great Britain is precluded from entering into similar mutually advantageous trading arrangements within the Empire she has founded, by provisions in Treaties made with two alien States; and, in

such case, if Her Majesty's Government are taking any steps to remedy this condition of affairs?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): In reply to my hon. and gallant Friend, I have to say self-governing Colonies are free to form Commercial Leagues among themselves, subject, in the case of the Australian Colonies, to the restrictions of Section 3 of the Australian Colonies Customs Duties Act of 1873. The products of foreign nations could under the scheme be admitted by the League on the same terms as the produce of the colonies comprising the League; but Great Britain could only be a party to such League on condition that Belgium and the Zollverein received similar treatment to Great Britain. We have no information leading to the belief that at present the Colonies desire to adopt a policy of such a Customs Union; but should such a desire arise, and the Treaty between Great Britain and Belgium and the Zollverein interpose obstacles in the way of the realisation of such a desire, it would be the duty of Her Majesty's Government to consider how to remove those Treaty restrictions and to shape their course accordingly.

COLONEL HOWARD VINCENT: In this connection, may I ask if any answer has been sent to the unanimous address of the Canadian Assembly in December last?

MR. A. J. BALFOUR: I have no information, but, of course, if my hon. Friend puts a question on the Paper I will make the necessary inquiry.

SALARIES OF IRISH LAND COMMISSIONERS.

MR. SEXTON (Belfast, W.): I beg to ask the First Lord of the Treasury when he will give effect to his pledge of last year, that measures would be adopted in the present Session to make the salaries of the Irish Land Commissioners appointed in 1885 equivalent to those of their junior colleagues appointed in 1887 and 1890?

MR. A. J. BALFOUR: It is the intention of the Government to introduce a Bill dealing with this subject, though I do not pledge myself that it will carry out exactly the view which,

judging from his question, the hon. Gentleman seems to hold. The Bill will, I hope, be introduced very shortly by my right hon. Friend the Chief Secretary, but I will consult with him on the subject.

MR. SEXTON: Does the right hon. Gentleman intend to convey that there has been a modification of the view expressed by the Government last year?

MR. A. J. BALFOUR: The hon. Gentleman is not to understand that, but it would be premature to offer any explanation of the Bill now.

MR. T. M. HEALY (Longford, N.): Does the right hon. Gentleman intend to cut down the higher salaries?

MR. A. J. BALFOUR: I think the hon. Gentleman should wait until the Bill is introduced.

COAST COMMUNICATIONS.

***SIR E. BIRKBECK** (Norfolk, E.): I beg to ask the First Lord of the Treasury whether, in view of the great importance of rendering every facility for the better preservation of life and property round the coast of the United Kingdom, he will be good enough to grant an early opportunity for a Debate on the question of "Coast Communication," in order that the House may be enabled to pronounce an opinion as to the desirability of establishing a complete system of telephonic and telegraphic communication round the coast as well as with certain rock lighthouses and light vessels? I ask this question, notwithstanding the fact that I have been fortunate enough to secure this day four weeks for the discussion of my Motion on the subject.

MR. A. J. BALFOUR: I hope my hon. Friend will be fortunate enough without any special arrangement to obtain the day he seeks for the discussion of the important question to which he refers, but I am afraid that in the event of my hon. Friend not finding the time by the ordinary methods to bring the subject before the House, it will be impossible for the Government to make any exception in favour of a particular Resolution without involving themselves in difficulties which would make the carrying on of Government Business well nigh impossible. I should be glad, however, if the hon. Baronet would specify more

particularly what measures he has in view which he desires to recommend to our notice.

*SIR E. BIRKBECK: With the permission of the House I may be allowed to say that what I ask for is: (1) That a complete system of day and night (including Sundays) telephonic and telegraphic communication be provided by Her Majesty's Government round the coast of the United Kingdom in order that every coastguard and signal station be so connected, and that where such stations do not exist the post offices nearest to the lifeboat stations be connected; (2) that certain lighthouses which could probably furnish early and valuable information to lifeboat and rocket apparatus stations be also placed in telephonic and telegraphic communication; (3) that a Royal Commission be appointed to inquire into the desirability of connecting certain light-vessels and rock lighthouses by cable with the mainland in order to give information of vessels in distress.

MR. A. J. BALFOUR: As my hon. Friend knows, the Government have hearty sympathy with the object he has in view, and I hope that during the present year the Government may be able to do something material towards carrying it out.

MR. P. O'BRIEN: Does the hon. Baronet mean to include Ireland in his proposal; he said, I think, Great Britain?

*SIR E. BIRKBECK: I said distinctly the United Kingdom.

MR. P. O'BRIEN: Does that include Ireland?

*SIR E. BIRKBECK: England, Scotland, and Ireland.

EMPLOYMENT OF WILLIAM DIGBY, OF CALEDON, COUNTY TYRONE.

MR. W. O'BRIEN (Cork Co., N.E.): I beg to ask the Postmaster General if it is a fact that William Digby, of Caledon, County Tyrone, was employed for eight years in carrying the night mail to Tynan on Sundays at 1s. a week, the job having been offered to several Protestants and refused; whether an arrangement having been come to lately by which the post became worth 6s. a week, Digby has been discharged and a Protestant appointed in

his place, and whether there was any fault to be found with Digby on the score of character?

SIR J. FERGUSON: Digby was employed by the sub-postmistress of Caledon as station messenger on Sunday evenings, a duty for which an allowance was made of 1s. a trip. Whether the job had been offered to others, and, if so, of what religion these others were, is not known. Since the 23rd February last the duty has been merged in a night mail station service, for which an allowance is made of 6s. a week, and Digby's services are no longer required. He is reported to have been insubordinate and to have given much trouble at Christmas time.

MR. W. O'BRIEN: Can the right hon. Gentleman say what was the nature of the insubordination? Was it in the fact that the man acted as agent for a Nationalist subscription?

SIR J. FERGUSON: The official Report says: Owing to his insubordinate conduct, and he having given much trouble to the sub-postmistress during the late pressure, he cannot be recommended for further employment.

THE DUNDALK BURIAL BOARD.

MR. P. O'BRIEN (on behalf of Mr. NOLAN, Louth, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Local Government Board have declined to sanction a loan of £6,500 applied for by the Dundalk Joint Burial Board, under Section 247 of "The Public Health (Ireland) Act, 1878," for the purpose of providing a cemetery for the united district of Dundalk, under the Dundalk Joint Burial Board Provisional Order, 1891, upon the ground that a certain proportion of the sum asked for would be chargeable on the urban district of Dundalk, which sum with the balances of other loans would exceed twice the annual assessable value of that district; whether he is aware that the net annual value of the premises assessable within the district of the Joint Board amounts to upwards of £31,000, and whether, inasmuch as the Joint Board has not at present incurred any liability by borrowing, it is entitled to borrow up to double that amount without reference to the separate liabilities of its constituent authorities; and if he

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would state what is the practice as regards borrowing by Joint Boards adopted by the English Local Government Board?

MR. MADDEN: The case is substantially as stated in the first paragraph of the question. The net annual value of the urban sanitary district is £21,890; and twice that amount, or £43,780, is the limit under Statute of the borrowing power. There is at present a sum of £35,995 due in respect of loans borrowed under the Sanitary Acts, which thus leaves £7,785 as the present maximum amount which can be borrowed as a charge upon the urban sanitary district. The proportion of the proposed burial loan for which this district would be liable amounts to about £4,500, while at the same time there is a proposed sewerage loan of £7,000, making a total of £11,500 against the present maximum limit of £7,785; so that the Local Government Board were unable to sanction the amounts sought. The Board were legally advised that they were bound to take into account the indebtedness of the urban sanitary district when considering the loan to the Joint Burial Board. An Inspector of the Local Government Board has recently held an inquiry, and as a result the Board has suggested that the Sanitary Authorities and the Burial Board should confer with a view to proposing some modification of their schemes.

CERTIFICATE OF DEATH.

MR. MADEN (Lancashire, Rossendale): I beg to ask the Secretary of State for the Home Department whether his attention has been called to an inquest held on 22nd March, 1892, at the Islington Coroner's Court, by Dr. G. Danford Thomas, on the body of Susannah Elizabeth Waller, aged seven months, the daughter of Herbert Waller, greengrocer, of 100, Palmerston Road, Finsbury Park; and whether he is aware that a certificate of death was given signed by D. H. Dyte, L.R.C.P. Lond., M.R.C.S. England, and L.S.A. Lond., of 43, Poole's Park, who it was proved had not seen the deceased before her death; if so, what course of action does the Home Secretary propose to take?

MR. MATTHEWS: I have received a Report on this case from the Coroner. The facts are correctly stated in the question. The Coroner informs me that he has communicated with the Registrar General in order that such legal action may be taken as he deems desirable. I may add that I have received a letter from Dr. Dyte, who admits he had not personally seen the deceased and expresses his deep regret, but he explains that the child was regularly attended by his assistants, who reported to him from time to time, and that he was only prevented from personal attendance on account of severe illness.

THE POLICE REGULATIONS AS TO CARTS.

SIR J. KENNAWAY (Devon, Honiton): I beg to ask the Postmaster General whether, in the case of Dr. Callaghan, of Colyton, whose leg was broken owing to his horse shying at a Post Office hand-cart left unattended in the public road, the leaving of the hand-cart was a breach of Police Regulations, for which the Department is responsible, and therefore liable to make compensation to Dr. Callaghan?

SIR J. FERGUSSON: I am informed that there was no breach of Police Regulations in this matter. The Regulations require that any truck shall not "stand longer than is necessary for loading or unloading goods," and in this instance the accident happened whilst the Post Office men were carrying into the office the parcel basket which had been brought in the truck. It is quite clear that the Department is absolutely free from all responsibility in the matter.

ROYAL ARMY CLOTHING FACTORY.

DR. TANNER (Cork Co., Mid.): I beg to ask the Financial Secretary to the War Office whether, in connection with the Royal Army Clothing Factory, any value-scale for trimmings has as yet been adopted; and, if so, since when and how; and whether the apportionment of amounts chargeable to the Army Clothing Factory service on garments in connection with cutting and trimming is fixed by the manager of the factory and accepted on his authority?

MR. BRODRICK: There are difficulties in fixing a value-scale for trimmings. The matter is, however, under consideration, and a decision will soon be arrived at. The apportionment of amounts chargeable on garments in connection with cutting and trimming is according to a scale drawn up by the manager of the Clothing Factory; and as he alone has the practical experience necessary, this scale is accepted on his authority.

DR. TANNER: Is it a fact that these matters have been animadverted upon on many occasions, and have been condemned by the Attorney General?

MR. BRODRICK: I am not aware that that was so, but the whole matter will be carefully inquired into.

OFFICERS OF DEPOT CENTRES.

MR. PATRICK O'BRIEN (for Colonel NOLAN, Galway, N.): I beg to ask the Financial Secretary to the War Office what is the total cost of the pay and allowances of the officers commanding dépôt centres?

MR. BRODRICK: The total cost is £40,146; £29,196 is the amount saved from the Pension List; and, therefore, that leaves £10,950 as the net cost of this employment.

MILITARY LANDS CONSOLIDATION BILL.

*SIR E. BIRKBECK: I desire to put a question to my hon. Friend, of which I have not been able to give him private notice. I would ask him whether he is aware that Clause 15 of the Military Lands Consolidation Bill, read a second time last night, seriously affects the rights of fishermen, coasting traders, and others; whether he will defer the appointment of a Select Committee until the Target Practice Seawards Committee have reported; and whether he is aware that the Bill will affect the interests referred to at Plymouth, the Needles passage of the Solent, a portion of the sea near Portsmouth, a portion of the Thames near Sheerness, and Cork Harbour?

MR. BRODRICK: I am not aware of the points to which the hon. Baronet refers, but I think if he will consult the Bills which are here consolidated, he will find that we are only dealing with

the present state of the law. I would suggest to the hon. Baronet that when the Select Committee is appointed, that will be the proper opportunity for bringing on such points and for calling attention to them, and I will undertake, as far as I have the power, to see that the interests which he suggests are properly represented on the Select Committee.

*SIR E. BIRKBECK: Might I point out to the hon. Member—

MR. SPEAKER: Order, order!

*SIR E. BIRKBECK: I would ask my hon. Friend whether he is aware that the Committee on Target Practice Seawards has only just commenced its proceedings, and that the Committee has to go down to Plymouth and other places and make inquiries, and whether he will defer the appointment of a Select Committee till evidence has been brought before the Target Practice Committee and they have been able to report?

MR. FLYNN (Cork, N.): Might I ask if the War Office have not received several complaints from the Cork Harbour Commissioners as to this target sea practice?

MR. BRODRICK: I am not aware that such complaints have been received. As regards the question of the hon. Baronet, the best course would be not to move the Select Committee this week, and if he will kindly renew his question on a subsequent occasion I will undertake to give him an answer on the points he has raised.

SCOTCH EQUIVALENT GRANT BILL.

MR. WALLACE (Edinburgh, E.): I would ask the right hon. Gentleman the First Lord of the Treasury when he proposes to take the Second Reading of the Scotch Equivalent Grant Bill?

MR. A. J. BALFOUR: On Thursday.

MR. WALLACE: Is the right hon. Gentleman certain that the Second Reading of that Bill will be taken on that day?

MR. A. J. BALFOUR: As certain as anything can be in this House.

MR. WALLACE: I would ask the First Lord of the Treasury if he knows in what order he proposes to take the Second Reading of the Scotch Equivalent Grant Bill on Thursday?

MR. A. J. BALFOUR: I have already stated four times that we intend to put it down as the First Order of the Day.

THE INSPECTION OF MINES.

MR. BURT (Morpeth): I beg to ask the Home Secretary whether his attention has been called to the refusal of a colliery manager to allow the Inspectors appointed by the workmen under General Rule 38 of the Mines Regulation Act to examine the place where a fatal accident may have happened; and whether the workmen's Inspectors are not empowered by the Act to examine such places?

MR. MATTHEWS: I have received no official information of such an instance as the hon. Member refers to. By the 38th rule of the Coal Mines Regulation Act it is provided that an examination by or on behalf of the workmen of every and any part of the mine shall be permitted, and it is compulsory upon the owner to afford every facility for this being done at least once a month. Whether such an examination has, or has not been made, I hope that in the event of anything serious the owner would place no obstacle in the way of such inspection by the workmen.

BUSINESS OF THE HOUSE.

DR. CLARK (Caithness): Mr. Speaker, may I call attention to the second Order of the Day, "Military Lands Consolidation Bill. Adjourned Debate on Motion for committing the Bill to a Select Committee." That was proposed, I believe, after twelve o'clock. Am I to understand that this is an adjourned Debate, it being contentious Business after twelve o'clock?

***MR. SPEAKER:** After the Second Reading of the Bill, the Member in charge stated what further action was proposed to be taken in regard to it. There might not have been any objection, but, he having proposed that the Bill be referred to a Committee, and objection being taken, I at once said that in the circumstances the Bill must stand over, and so it becomes from the necessity of the case an adjourned Debate.

ORDERS OF THE DAY.

SUPPLY.

CIVIL SERVICE ESTIMATES.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POSTAL TELEGRAPH DEPARTMENT.

***DR. CAMERON (Glasgow, College):** On the last occasion on which I called attention to a matter connected with the subject, an hon. Member came to me afterwards and asked what interest I had in the telegraph system. I may, therefore, at the outset explain that I have no earthly interest as a private individual in the Telephone Company whatever. My interest in the whole question of telegraphy and telephony arises from the fact that many years ago I was instrumental in getting this House to accept the Resolution which led to the adoption of sixpenny telegrams. The Post Office of this country acquired the telegraph system when the telephone had not been invented. In 1876, when a Committee sat to consider the question of postal telegraphs, the invention had attracted some attention, but no mention was made of the telephone as a possible adjunct of the telegraph. In 1878 telephonic communication was being developed, and the system was so far perfected that the Post Office saw it was likely to grow into a serious competitor with the postal telegraphs, and accordingly in a Bill which was introduced in 1878—a Telegraph Bill—the Government endeavoured to extend the monopoly of the telegraphs, which they had purchased, to the monopoly of telephonic communication, which they certainly had not purchased. And in the Telegraph Bill of 1878, as it came down from the House of Lords to this House, Clause 3 read as follows:—

"The term telegraph in addition to the meaning assigned to it by that Act shall include any apparatus for transmitting messages or other communications with the aid of electricity, magnetism, or any other like agency."

That was evidently intended to confer on the Post Office a monopoly of telephonic communication without

any proposal to compensate the inventor for his invention in this country. That appeared to me and some of my friends a dishonest proposal, and we opposed the Bill on that ground until the Government consented to drop that clause. The Bill went through with that clause knocked out, but the Post Office saw the danger to their monopoly of the telegraphs which would arise from the development of the telephone, and they set to work and tried to obtain a monopoly in another fashion. Under another clause of the Telegraphs Acts they brought an action, and on the 21st December, 1880, Mr. Justice Stephen delivered judgment in their favour, declaring that the telephone was, for the purposes of the Telegraphs Acts, a telegraph. I do not blame the Post Office for their anxiety to secure a monopoly of telephonic communication. They had expended at this time a sum of £10,000,000 of public money in acquiring the telegraph system, the postal telegraphs were barely paying their working expenses, and it was certain if the competition of the telephone was brought to bear against the telegraph system the result would be a heavy loss to the Post Office. I do not find fault with them, therefore, for endeavouring to extend the monopoly as a protection against that loss. And I say if they had followed up the advantage they had gained in a more business-like manner, they would have been enabled to acquire, on very reasonable terms indeed, all the equitable rights of the inventor of the telephone; they would have been in a position to arrest any attempt to plunder them, as was done in the case of the telegraphs, and in the telephone in this country they would have acquired a most valuable addition to our telegraphic service, which they could have worked in a way such as no private company could have done. The Post Office had the telegraphs in its own hands, it had the highest technical skill in its own department, a monopoly of buildings and offices all over the country, and a network of telephonic communication could have been established with which no private company could ever hope to have competed in point of efficiency and cheapness. And the telephone in that way would have been

an admirable feeder of the telegraph service. The Government when they acquired the telegraph service did not, as I think they should have done, afford some equitable compensation to the inventors of the telephone. Instead of doing that, they proposed to attempt to set up some telephonic service for themselves. They did it, however, in a very feeble way, and they defended themselves rather by levying a very heavy tax, a crushing tax, upon such Telephone Companies as were in existence. They levied upon those Companies a tax of some ten per cent. upon their gross earnings. If their intention was to crush out this competition the invention was too valuable to be crushed out, and it improved and extended notwithstanding the heavy taxation. By-and-bye the public conscience began to feel touched. Mr. Fawcett, a gentleman with a very high sense of what was just and who was in intimate touch with public opinion in all matters connected with his Department, saw that the position of the Post Office was untenable, and proposed a new arrangement with the Telephone Companies. In some respects his arrangement did not go far enough; it might with advantage have further reduced the royalties proposed to be levied; but it also went too far, as it placed the trunk lines of the country at the disposal of the Telephone Companies, or promised to give them licences over the trunk lines for communication between the great towns. When the Post Office acquired the telegraphs, an argument put forward in favour of monopoly was perfectly sound. It was that if competing companies were allowed they would tap the large towns which were profitable and leave the smaller and unprofitable towns to the Post Office. The Postmaster General said that in those places where the trunk system has been most largely developed the postal revenue was suffering, and that to such an extent as to make it imperative to consider the question of taking back these trunk lines. By these lines London, Birmingham, Liverpool, Manchester, Leeds, Brighton, and other large towns are in communication, and all the large Scotch towns are similarly connected, while it is promised that, at an early date, all the

large towns throughout England and Scotland shall be in communication. Long distance telephony can be made perfectly satisfactory, as is proved by the line between Paris and London, and by the long-distance Continental lines; but in this country it has not yet been developed to such an extent as to be a dangerous rival to the Post Office. When, however, we have the double wire system, with the best instruments, it will prove a formidable rival to the Government telegraphic department. A crisis has now arisen in consequence of the companies asking for powers which it would be right for them to seek if they were proprietors instead of being merely licensees, and the Government oppose these powers. The right hon. Gentleman is too fair-minded not to know that it is impossible to check the growth of the telephone system in this country, and he comes forward to propose as a new *modus vivendi* that the Government should take back their right to the trunk lines, and in return should lay inter-exchange cables, and allow the use of the post offices as public call offices to the Telephone Exchanges. Mr. Fawcett hoped through competition to secure a cheap and efficient public service. There were, at the time of his arrangement, 13 Telephone Companies licensed to set up wires throughout the Kingdom, but there was nothing like free trade among them. I know of a number of instances where licences were refused when they ought to have been granted. There is the case of a Mr. Symmington, in my own constituency, who, before the introduction of the telephone, created an A B C Telegraph Exchange, and secured a number of subscribers, who had A B C telegraph instruments. He, therefore, first introduced the system of telegraphic exchanges to this country, but he was refused a telephone licence. In another case a gentleman, at the approach of the period for the expiration of the Bell patent, brought over some loud-speaking telephones and sought a licence, which was refused him. In December, 1890, I asked a question on the subject, and was told that it was under consideration. In June, 1891, I received the same reply, and a few weeks ago the Postmaster General told me that it was still under con-

sideration. Meanwhile, the competing companies have come to a nice comfortable arrangement between themselves; they have practically united in one single company, and so constituted a great monopoly. The consequence is, that the present price of the telephone service is greater than anywhere else in the world. The rent in London is £20, and the service is not such as to give satisfaction. A deputation from the Chamber of Commerce waited on the right hon. Gentleman the other day, and one member spoke of the London service as being the dearest and most inefficient in the world, and another represented some thousands of telephone users, united in a Telephone Subscribers' Protection Society, whose object was to get a better service from the National Company. Mr. Raikes opposed the amalgamation of the National and the United Telephone Companies, and threatened official pains and penalties, but nothing has been done in the matter. Now, the right hon. Gentleman proposes another policy which, so far as I can see, will consolidate and perpetuate the telephone monopoly which at present exists. He proposes a system of greater restriction, and tells us that new licences shall only be given under conditions of increased stringency. He also proposes to give the post offices as public call offices, and that will practically give the company using them a monopoly, or, at any rate, an advantage over the other companies. If the Government charge for the inter-exchange cables it will be an addition to the royalty, and the companies will then probably add to their charge, and certainly not lower them. As I do not wish to be unfair to the Post Office, I may mention another reason for the unsatisfactory condition of the telephone service. The paper *Electricity* says—

"It is not the Post Office which has stood in the way of telephonic progress. Like electric lighting, telephony has been artificially kept up by iniquitous financial speculation, and, as for instance in London, by the ignorance and bungling of an inexperienced staff of employes."

I cannot speak about the speculation and inexperienced employes, but that something beyond the Post Office is to blame for the high charges is evident

from the fact that in those districts where dissatisfaction has given rise to competition—as in Manchester—the rent has been reduced to £6 a year, instead of £10 or £12 a year as in other provincial towns. That proves that high charges and unsatisfactory service deter the public from using the telephone. The Manchester Company, which is a new one, put down the double wire system, and within three months of starting had 800 subscribers, the total number of subscribers in London being only five times as many. This incontestably proves that there is something beyond the royalty which is responsible for the strangulation of the telephone business in this country. The policy of the Post Office has utterly failed to bring about competition; it has led to monopoly and high charges; and has kept out improved instruments and an improved system of wires. If we had free competition new companies would come in and spend their capital to greater advantage, and the public would be better served. But between the practical monopoly which the Government has allowed the National Telephone Company to obtain and the inflated capitalisation of the Company, the old system, which was good enough at the commencement of telephonic enterprise in this country, is still considered good enough in London, and practically good enough for all the country except where competition has induced the Company to lower its rates. The result has been to cripple the system. The right hon. Gentleman mentioned the other day that the City of Berlin, although it has not one fourth of the population of London, and although it has much greater postal facilities than London—for it has a tube post by which you can every five minutes send a card or a letter to any part of the town—and although Germany is a very much poorer country, yet in spite of these disadvantages Berlin has four times the number of telephone subscribers that London has.

SIR J. FERGUSSON: What I said was that the proportion of telephones was four times greater than in London. I mean that while the number of telephone subscribers in London may be one per 1,000, in Berlin it is four per 1,000.

Dr. Cameron

*DR. CAMERON: However that may be, the telephone subscribers in Berlin number 17,000, and the fact remains that the Government work the telephones. In France the Government recently took over the telephones, and in 18 months from the time of taking over the number of subscribers in Paris was nearly doubled. Between September, 1889, and January, 1892, the number of subscribers had been increased by 3,475, and the annual income had been augmented by £40,000. This shows how powerful is the natural growth of telephonic communication when once restrictions have been removed and an efficient service provided. It has often been said that telephones are the luxury of the rich. They have been the luxury of the rich in this country in consequence of the high charges and the heavy imposts placed upon them by the Post Office. In Switzerland the Government charge 80 francs (64s.) a year as a fundamental tax for 800 messages, and over that number a charge is made of five centimes (½d.) A similar tariff has been adopted in Norway and Sweden, and I maintain that when once the service is in the hands of the Post Office, and when there is a call box in every post office, there will be no reason why the telephone should not be as generally used as the telegraph, and it will be most useful to the poorer classes of the community who cannot compress their words to meet the necessities and charges of the telegraph. Of this I am certain—that if the Post Office will give the facilities which they propose to do in connection with the Post Office to Telephone Companies, and if the Telephone Companies, driven by public opinion and the force of competition, double their wires and improve their system, the Post Office will find that in urban districts also the telephone system will rise up as a formidable competitor to the Post Office telegraphs. The Post Office will, sooner or later, in self-protection, have to acquire the telephone system, and every year the sum they will have to pay for it increases. If they had acquired it in 1880 they might have secured it for a few hundred thousands: now the sum has grown to millions. But for the impression which the heavy cost of the

acquisition of the telegraphs has made upon the country I am certain that the Post Office would not hesitate to purchase the telephone system; but it must be remembered that the Post Office is in a totally different position with respect to the acquisition of the telephones from that it was in at the time of the purchase of the telegraphs. When it proposed to purchase the telegraph system, it proposed to purchase an undertaking over which it had no control, and for the management of which it had no special facilities. After completing the purchase on the best terms it could make it had to buy its experience, and that at a very costly rate. The telephone stands in quite a different position. It possesses already the monopoly of telephone communication, and it can refuse licences or can grant licenses to competing companies. I have no desire to see anything like a confiscation of existing rights, but the Post Office must see that it is in a position to insure that it should not be called upon to pay more than a fair and equitable sum for the acquisition of the system. Already it has a large margin of profit in its royalties, so that if it were to forego altogether the dividends which the Telephone Companies pay, and to forego any prospective increase which the companies will have to pay on their inflations of capital, the development of the system would rapidly increase the revenue which the Government derives from that source. There is a most intimate connection between the telephone and the telegraph. Already it has been shown that simultaneously you can have telephonic and telegraphic messages transmitted along the same wire. Already in Germany the telephone has been made use of as a means of communicating to outlying districts with most satisfactory results. The Government has undertaken the business of telephonic communication with Paris, and, doubtless, that experiment will be followed by the extension of the telephone cables to other European countries. The Post Office is now proposing to take over the trunk lines, and to take over the construction and charge of inter-exchange cables. To safeguard their telegraphic business they will find that they are bound to

go a step further and to take over the whole of the business into their hands. Up to the present the Post Office has only appeared in connection with the telephone as the proprietor of rights for which it has never paid; as a levier of blackmail on the users of the telephone, and as a taxer of that speedy communication between the citizens of the country, and especially between business people, which has done so much to accelerate and to stimulate business in this country. Under the Post Office system of dual control, and in spite of the avowed policy of the Office, a monopoly has grown up under which the public groan and the telephone languishes; and in asking the House to support the Resolution which I have put on the Paper, I ask the House to affirm the principle that the Post Office should do something to justify its monopoly, and that it should relieve us of this system of dual control, which has been fraught with so much mischief.

(3.21.) MR. HENNIKER HEATON (Canterbury): I think it is a matter for regret that more notice was not given of a question of the importance of this one. It is of the greatest importance that this House should strengthen the hands of the Postmaster General by insisting that the whole system of telephonic communication should be taken over by the country. At the same time, I cannot agree with the hon. Member (Dr. Cameron) that it would have been better if the telephones had been taken over ten years ago, because a great number of the concessions are falling in, and there is now a better opportunity for the Postmaster General to acquire the whole system on advantageous terms than at any previous period. It has been clearly pointed out that the right hon. Gentleman has not yet gone far enough, but I hope that the discussion to-day will enable him to go further, and take over the whole telephonic connection. I was not a very great advocate for telephonic communication until I had seen the marvellous progress, the splendid instruments, and the system of work in foreign countries. I had no notion of the great future of telephonic communication until I had witnessed the system in Australia, and had read an

article, which has no doubt been brought under the notice of the Postmaster General, by the Duke of Marlborough on "The Future of Telephonic Communication." No one who has read that article could fail to come to the conclusion that it is absolutely necessary for the State to take over the telephonic system, and to introduce some system such as is in force in Melbourne, a city with only a third of a million of inhabitants. I trust that this will not be made a Party question, but will receive the support of the entire House, and I have pleasure in supporting the Resolution.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "the Post Office system of granting licences to private telephone companies having resulted in the restriction of telephonic communication in this country and a costly and inefficient service, this House is of opinion that, alike in the interest of the postal telegraph and the telephone service, the telephonic monopoly possessed by the Post Office should be worked directly and in connection with the Postal Telegraph Department," — (*Dr. Cameron,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

* (3.26.) **SIR A. ROLLIT** (Islington, S.): I agree most cordially with the hon. Gentleman (*Mr. H. Heaton*) in expressing regret that more general notice was not given of this Debate, for I am certain that there is no question in which the commercial community just now takes more interest than in that of telephonic communication. I have had the opportunity, as Chairman of the Council of the London Chamber of Commerce, of ascertaining the wishes of the business part of the community with regard to this matter, and I do not hesitate to say that the general feeling is that in the matter of telephonic communication we are much behind other countries. Experience has conclusively proved that the telephone is a great commercial advantage, and, in fact, that in these days commerce cannot be successfully carried on unless the system of communications is as perfect as it can possibly be made. Despatch is now one of the chief elements of profit, and unless commerce has

at its service the latest and best appliances of science it cannot be conducted advantageously or properly. I believe, with the first speaker (*Dr. Cameron*), that the telephones could have been very profitably bought some years ago, and that every year adds to the sum we shall have to pay for them. For my own part, I value at its full rate the advantages which this country has derived from private enterprise, but I think there is now some danger of estimating too highly the service of private enterprise and of underrating the power and organisation of the State. The principle of action which I venture to suggest on this point is that the State ought, as a general rule, to do for the community those things which it can do cheaper and better than the individuals themselves; and this principle is, in my opinion, applicable both in the State and in the Municipalities, not only to subjects of primary necessity, in which it has been largely adopted, but also to our system of communication and the like. And, as regards communications, it is a matter of some urgency that the State should bring to the aid of the individuals greater power than they can themselves apply. Then I think there can be no doubt of this,—that other countries are taking every means to avail themselves of that power and organisation on the part of the community. Let us contrast for a moment the want of development of the telephone compared, in the hands of private companies, with what has been done by the State in regard to the telegraphs, and even the telephone itself. I had an opportunity of experiencing the other day the great facility with which communication could take place from the London General Post Office with so distant a place as Marseilles. That is no longer an experiment; it is a most admirable success as between London and the south of France. I have also some experience of such matters in America, where numbers of towns practically become one, and where an admirable system of intercommunication exists. And judging of the application of the telephone in this country I have no hesitation in saying that when conducted by the Post

Mr. Henniker Heaton

Office it is decidedly better than in the case of the application by the chief private company. So far as I have had an opportunity of comparing their relative merits, I believe the system introduced by the State under the admirable direction of Mr. Preece has been attended with great practical advantages in this country. It may not be cheaper, but, whether due to a complete metallic circuit and so to the limitation of induction (as I think essential), or to other causes, it is certainly much better because more audible. That being so, I think we ought to persevere in the same direction. The great obstacle, possibly, to the development of the telephonic system may be the fact that it may be made to contribute too much to revenue. I think, in the case of the Post Office that has been carried too far, and that the commercial community has been practically and unduly taxed for the benefit of others, whereas the community ought not to be taxed for classes or classes for the community. In the event of acquiring the telephonic system, therefore the House should protest against the Treasury regarding the system mainly or chiefly for revenue purposes. What the country wants, if it is to keep pace with competing nations, is the best and the cheapest forms of inter-communication.

(3.35.) MR. LABOUCHERE (Northampton): I entirely agree with my hon. Friend, and it seems to me to be essentially a question whether in this particular monopoly the State ought to impose conditions on private companies, or do the work itself. The hon. Gentleman opposite has elaborated a very interesting and valuable Socialistic view of the duties of the State. I very much agree with him, speaking generally; but on this particular subject I would point out that this is essentially a luxury for the rich. ("No, no.") Well, you say "No"; my hon. Friend says "No" behind me. It depends upon who my hon. Friend considers a rich man. There is no doubt that if telephonic communication is introduced into houses generally, it will be at a charge of at least £6 per house. (Dr. CAMERON: No, £4.) Well, £4. I will split the difference, and say £5. Anyhow, as a matter of fact, it

will cost about £40 to connect any particular house with the telephone. You have got to pay interest on that; besides that, you have to pay for the expenditure of the central office—the people employed on the thing—and I think if anybody calculates it, he will see that I am not very far wrong in saying that the minimum cost in cities like London would certainly be over £5 for the privilege of being connected with the telephone. Therefore, I should not say that this is essentially a poor man's question, and I should rather say that it is a question for not a very rich man like my hon. Friend behind me, but for that man who has certainly a larger amount of wealth than the mass of the community. I remember talking to the late Mr. Fawcett when he was Postmaster General upon this very question, and at that time I urged him to take the patents up at the expense of the State, because I thought the telephone would compete in private hands with the telegraphs and injuriously affect the Revenue. The difficulty then was this: the patents were not in the hands of the original patentee, the patents had got into the hands of the promoters of companies and such like persons. It would, consequently, involve a charge of an immense sum of money for these patents more than they were worth, considering that the patents would be out after the lapse of about 14 years. That was the reason why Mr. Fawcett did not take up the cables. I remember putting the matter to the late Mr. Raikes when he was Postmaster General, and he pointed out to me that he himself personally was in favour of taking over the whole thing, but he said the Treasury were not in favour of it, looking at the very great expenditure. The expenditure would be very great indeed. It would amount to about £8,000,000, and certainly it is a matter seriously to be considered, not whether this would add to the Revenue but whether this would pay its expenditure, before we undertake it. Now, my hon. Friend behind me has complained of the essential monopolies involved in the present system of licences; but, as I understand the Government plan, that is not intended. As a matter of fact, I believe that almost all the persons who have

acquired licences have acquired them simply with the object of re-selling them to some particular company. In fact, their object has been a blackmailing one. Therefore, I think the Government ought to be very careful in giving these licences. I think that when the right hon. Gentleman (the Postmaster General) arranges the system in a new Bill he ought to do something like what has been done in regard to the Gas Companies, but with more care for the public interest. He ought to estimate himself, about what the fair price ought to be, and he ought not to allow a company to charge above a certain tariff; and he ought not to allow a company to pay above a certain dividend, providing for a reduction in price under certain circumstances. If this were done, I very much doubt whether there would be any considerable objection to this matter being carried out by public companies. Now we have a National Telephone Company in London. My hon. Friend has most properly complained of that company. That company is a financing company. It had got a capital—speaking in round numbers—of about £3,000,000 sterling. A very large portion of this amount has been expended on what is called buying from the patentees; in point of fact buying patents from middlemen, and Heaven knows who has participated in the spoil. Practically speaking all the important patents have lapsed already, or will lapse in the present year; and therefore we may conceive that the amount of capital which was paid for them is absolutely dead. But these gentlemen have also been perpetually amalgamating with other companies. I think it would have been infinitely better if the Post Office had interfered with these amalgamations. As regards this telephonic system, not only is the service expensive, but the service is exceedingly bad. This may be the consequence of not having this entire metallic circuit. I confess, from the outline of the Bill of the right hon. Gentleman the Postmaster General, I certainly do think, with certain further provisions which I have suggested, it would be better for the public and better for themselves if they carried out this

Mr. Labouchere

system which is to absorb all the trunk lines, and to make these trunk lines intercommunicate between town and town. I think there is at the present moment a trunk line between Paris and London, and I think I am right in saying that it does not pay.

DR. CAMERON: That is not one of the trunk lines that is going to be taken up. The Government has that, and with the exception of that trunk line it would start discharged of the trunk lines that do not pay.

MR. LABOUCHERE: Certainly; and we will only take over those that do pay. I am very anxious to see the Bill of the right hon. Gentleman, but I am bound to say that from the general statement that he made the other day I thought the Bill met this very difficult question very fairly. Like my hon. Friend behind me, I have not, and never had, any financial interest in this matter; but I have always taken an interest in this matter. I thought we were thoroughly behindhand in proportion to the advance other countries have made in telephonic communication; and I do hope that not only in London, but in all the other great towns, we shall have, not only a good telephonic system, but a good, cheap, telegraph system of communication.

*(3.50.) MR. QUILTER (Suffolk, Sudbury): I did not intend to say one single word in this Debate, but as I happen to be so largely interested in the institution which has been so much alluded to by hon. Members who have spoken, I have thought it my duty to draw some slight attention to the matter before the Postmaster General makes his statement. I think I may fairly pass by the statements of my hon. Friend the senior Member for Northampton, who has just sat down. Members of this House must be pretty well familiar with them by this time. I myself have read them, or something very much like them, in the journal with which the hon. Member is connected; and each time they have appeared, I must say I have regarded them with less and less apprehension. I had hoped to have heard from the hon. Member something fresh to-day. It is wonderful that any Company could have developed to such

an extent as that with which I am connected, with the hindrances and the disadvantages with which it has had to contend, and the utter absence of any power of communication from place to place, and having to do all its business on sufferance. The hon. Member for the College Division of Glasgow has talked about "costly and inefficient service." I should like to state that over 160,000,000 messages have been transmitted at the cost of under $\frac{1}{2}$ d. a message over the wires of the National Telephone Company, which, with the answers incidental, and which, Sir, you know as "arising out of," represent nearer 200,000,000. On the question that the trunk wires are inefficient I may state that on one day we sent 40,000 messages between Liverpool and Manchester districts. One more instance to show that we are not so inefficient: in Leicester, Her Majesty's Post Office Telephone had 130 subscribers in July, 1890, when the Company's Office was opened. The Government Office has now only 100, while the National Company have 275, and yet our subscribers have not the same privileges of those of Her Majesty's Post Office. I cannot understand how it is that in a free country like this the licences of the Government are not entitled to the same privileges as the Government subscribers themselves. In spite, however, of this dead weight, the Company has made marvellous way in all parts of the country. I will also say that if it had the requisite and proper powers it has the means, it has the intelligence, and it has the staff, to meet the requirements of its subscribers in London also; and it would be perfectly able to do the work if the Postmaster General would delegate to it those powers for which it contends. I trust it will not be considered that I am holding a brief for the National Company; and that the House will excuse me for desiring to show that it has made very considerable progress, and done much towards the cheapening of communication in this country.

(3.56.) MR. CUNINGHAME GRAHAM (Lanark, N.W.): Both the hon. Member for Northampton and the hon. Gentleman who has just sat down have failed to show us any reason

why the telephonic system should not be taken over by the State. I do not regard the acquisition of it by the State as a mere commercial act. I believe it would be more to the benefit of the community if it were worked by the State than by private companies. Let me take the case of the Small Arms Factory at Enfield. I hold that it would have been impossible, had that factory been in the hands of a private company, to have attracted so much attention to what has occurred there, and to have obtained such favourable answers from Ministers with regard to it. I deplore the loss of the profits which might have been made had the State taken over the railway system of the country. Telephone communication will undoubtedly progress in the same ratio as the railways have progressed, and it will be another source of regret if the profits which will arise from it are enjoyed by private companies instead of by the community at large. There was one statement which fell from the hon. Member for the College Division of Glasgow, from which I must entirely dissociate myself. If there is one profession in the world which requires the services of a skilled operator it is that which is connected with the telephone. Personally, I have never been able to understand what anyone says to me through it, and I doubt whether those who have been the recipients of my confidences by its means have made out what I have said myself. Therefore, I take it that the telephonic trade is a highly skilled trade. I hope that the House will adopt the Resolution of the hon. Member for the College Division of Glasgow.

(4.3.) MR. ESSLEMONT (Aberdeen, E.): It has been stated that the telephonic communication in London would have been more satisfactory had the Company had sufficient powers to work upon. I quite believe that that is true; but I say that no Government can wisely give to a private company the powers that are necessary to conduct an undertaking of this kind. Private rights are so large that no company could be permitted to make profit out of a concession made to the public. The whole benefit of the concession ought to be in the hands of

the public, and it ought to be worked for their benefit. My hon. Friend the Member for Northumberland has stated that this is not an undertaking that would benefit the poor. I agree with him entirely. The postal and telegraphic systems do not only benefit the poor; they have been of most advantage to capitalists and people of large means. The same thing is exactly true as regards telephonic communication. It is taken advantage of more by the capitalists than the poorer classes of the community. Therefore, I agree that, in order to make it of some benefit to the general public, it should be taken over by the Post Office and the Government. Every day it is delayed it will be a source of inconvenience to the public. It is the Government alone who can obtain for the poorer classes the benefits which they ought to derive from it. I shall have much pleasure in supporting the Motion.

*(4.8.) THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): The Motion of the hon. Member for the College Division of Glasgow should not, I think, be regretted, for it relates to a question which ought to be fully understood, and in the statement I had the honour to make a week ago I said that I desired to take the House fully into our confidence by explaining thoroughly the scheme which we have in view. I do not think anybody will imagine that the interest taken in the country in this matter is to be measured by the attendance at a Morning Sitting. The discussions in the Press during the last week show that it has far reaching interests, and the more the matter is discussed the more it will be seen that it will, if properly handled, contribute to the wealth and the convenience of the country. The discussion has already taken a considerably wider scope than is given in the terms of the Motion of the hon. Member for Glasgow. Therefore, Sir, I do not think the House will consider I am wrong in following the lines of those who preceded me. Sir, the course previously taken by the Post Office in successive Administrations in regard to this matter may or may not have been the best. It may fairly be considered that this great enterprise of the telephones might have been con-

veniently conducted along with the telegraph, of which it really forms part, or at any rate to which it is closely akin. But, Sir, that course was not taken, and we have to deal with the matter under existing circumstances, admittedly involving considerable inconvenience from the fact that on the one hand a considerable property has grown up in the hands of licencees of the Post Office, and on the other hand that the system has failed to produce so extensive a use of this most useful invention as was anticipated by the Government who gave licences, or as now obtains in other countries. It would be altogether incorrect and unjust to allege that the object of the Post Office is to stifle this invention. That never was the object of the Post Office—it certainly was not the object of my enlightened and lamented predecessor Mr. Fawcett. I am quite sure there was no man more disposed than he was to encourage invention and to embrace any reform that seemed likely to benefit the country. Now, Sir, the object that we have at heart is the development of the Telephone system, and it is very likely that in my desire not to prolong discussion last Tuesday, my explanations were insufficient. Undoubtedly in the comments that have been made upon the discussion of last Tuesday, several misapprehensions have been disclosed which I am very glad to have the opportunity of removing. It is not correct to say as the hon. Gentleman the Member for the College Division of Glasgow has said that the Post Office set up the telephones in a feeble way whilst they plundered at once the companies and the inventors. In fact, the inventors had in the first instance sold their interests to the companies, and the companies employed them for their own advantage. They did so by the institution of exchanges, which were found by a judicial decision to be against the law because they carried on a business which was part of the Crown monopoly.

DR. CAMERON: I did refer to that.

*SIR J. FERGUSSON: Yes, the hon. Gentleman did refer to the clause proposed in the Bill of 1878. There was considerable difference of opinion as to

that clause. The authors of it deemed it necessary in order to protect the interests of the public. Other lawyers held that those interests were sufficiently protected by the existing law, and a decision of the High Court showed that they were right. But those who introduced the clause, and those who thought it unnecessary, held that the telephones were within the functions of the State. The hon. Gentleman the Member for Glasgow says the Post Office capriciously refused certain applicants grants of licences whereas they were granted in other directions. Well, Sir, no doubt there have been different policies prevailing at different times, and applications were dealt with according to the policy prevailing at the time of their receipt. I am informed that in the case to which the hon. Member referred the application was refused; but if the applicant had applied later, when a more liberal system of licences had developed, he would undoubtedly have been granted a licence. It cannot be said that licences were too sparingly granted, because to 13 companies licences were granted authorising them to establish telephones all over the country; in fact the system was taken up with greater boldness than the railway system in the earlier days of that enterprise, when a great Minister thought it would be the best policy to make the great trunk railways under the control of the State. It is because these companies have amalgamated and because they make no competition worthy of the name, that the establishment of a different system has become necessary; and the Government have intervened to secure the development of the system of exchanges, and their connection with the trunk lines. An hon. Member has referred to an expression I used last week that it is not proposed to continue to grant licences in a wholesale way. Licences will not be granted to companies that are not in a position to carry out what they propose to undertake. We should not encourage competition if we granted licences to persons who could not carry out their undertakings, and who might sell their right and prevent competition being established. Nothing could be more

contrary to the fact or more irrational to say that the decision of the Government to obtain control of the trunk lines will discourage competition. It is the very way to encourage competition. The hon. Member has referred to the Company promoted in Manchester by the hon. Gentleman the Member for the Blackfriars Division of Glasgow. That Company established an exchange in Manchester on liberal terms to subscribers. Well, Sir, I think that the decision of the Government to acquire the trunk lines will enable the Government to connect all such exchanges with local exchanges all over the country, so that subscribers in one part of the country may be put into communication with subscribers in every other part. That will be the means of healthy development. Whilst the Government propose that companies should be assisted by becoming connected with the Post Office to acquire a new development of their industry, we only propose to grant the concessions to companies that are ready to join in that system of free and unrestricted communication which it is the intention and the desire of the Government to bring about. The hon. Gentleman the Member for the College Division said the companies ascribed the high rates they charged to the excessive royalties they had to pay, and he argued from that that the possession by the Government of the trunk lines would either oblige still higher rates to be charged or involve the giving away of public money for the benefit of the companies. I cannot admit that the ten per cent. royalty has prevented the large development of the telephonic system. I understand the amount paid as royalties has never exceeded £46,000, whereas I am told the National Telephone Company is paying a dividend of six per cent. both on its debentures and its ordinary shares, on a capital of about £1,800,000.

MR. QUILTER: The dividend paid by the National Telephone Company was 4½ per cent. on the debentures and 6 per cent. on the share capital.

SIR J. FERGUSSON: My figures must have been wrong, but my point remains unaffected that it is not the royalties which have been a hindrance to telephonic development. Now, Sir,

the hon. Member has referred to the great development of telephonic communication in Paris. That is, of course, a Government system, and it is exactly that system that we desire to follow in the scheme we have stated to the House—a system which imposes no restriction upon free communication with the Post Office. Having acquired the trunk lines and the mains the Post Office would be able to promote free communication and the commercial development of telephones. The hon. Gentleman opposite says that this appears to be only levying of blackmail.

DR. CAMERON: I never made use of that expression in relation to the acquisition of the trunk lines and mains.

*SIR J. FERGUSSON: The hon. Gentleman used the term in connection with the Post Office. The main reason why the Government desire to get the trunk lines into their hands is to see that whatever revenue arises from the telephones a portion shall go to the public. In the second place they desire to promote that development which has been frustrated in the way that has been mentioned. But there is a third way in which the possession of these trunk lines will be of value—it was the way which was alluded to by the hon. Gentleman the Member for Northampton. We are, at this moment, in possession of a telephone between London and Paris, which has attracted so much custom that we have been obliged to make a second circuit. The last report I had was that the number of conversations over that wire was about 120 per day—the charge is eight shillings for three minutes—so that I have no doubt when the Government are in possession of the main trunk lines, and have completed their system, there will similarly be constant conversation between all the large towns in the Kingdom. Persons will be enabled to converse between London and the large towns in the same way as they can do with Paris at the present moment. That will be perfectly independent of the local exchanges. Now, Sir, there is another thing. The Post Office at present possesses the right of laying down underground wires; and having the means, the Post Office will be quite ready to lay down wires and to let them

out to the Telephone Companies within these areas for the connection of the exchanges and for the convenience of the public. It is only because we have greater facilities that we propose to undertake this work. Again, we have no desire to restrict unduly the operations of the companies, which we hope will conduce to the public service, and, therefore, we are willing to place a liberal interpretation upon the definition of exchange as far as the areas within which the companies may lay their main wires are concerned. The hon. Member for Canterbury has expressed a desire that the Government themselves should take over the telephones, and, following the example that had been set with respect to the telegraphs, make them national undertakings. I am afraid, however, that such a proposal will be very far-reaching. I do not suppose that in order to carry out the telephone system anything like the large capital that has been invested in the telegraph system would be required, but, at the same time, the House will hesitate before it authorises the Government to increase so largely the duties of the Post Office, or the number of people in its employment. I think it undesirable that there should be a direct employment by the State of a great number of *employés*, because it is not unknown that complaints have been made in the House with regard to public servants which would never have been heard of had those persons been servants of private companies, who are able to go into the labour market and obtain their servants at the rate of wages which is regulated by the law of supply and demand. Under such a system the *employés* obtain the best price for their labour, and the companies get the work done as cheaply as they possibly can. But a different element altogether is introduced when the State becomes the employer, and the amount of salaries to be paid for a given quantity of work is no longer fixed by the market price. In these circumstances, I submit that the Government have acted prudently in endeavouring to restrict the number of persons in their employment as long as the Public Service is efficiently pro-

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vided for. It is admitted that as the telephone is developed a great many more persons must be employed in its Service, and the result would be that in a few years as many persons will be employed in the telephone service as are now employed in the telegraph service. In these circumstances, the Government have resolved not to acquire the business of the companies, but to permit them to continue to carry on the service under their licences. Another point presents itself. It is quite evident that there would be calls for an extension of the telephone in districts where it would not pay. It is much more difficult for the Government to resist such calls for extension than it would be for private companies to do so. Of course, if it were desired that the telegraph and telephone systems should be carried on by the Post Office, irrespective of the amount of profit revenue to be derived from them, that would be a different matter, and the public want could be easily provided for. The hon. Member for Canterbury says in certain of the Australian Colonies the Government have taken over the telephones and telegraphs and are working them with great liberality. So they have taken over the railways, which are almost entirely the property of the Government; and in these countries, as in India, the undeveloped state of the country rendered it necessary that the Government should undertake many matters which can be better managed in this country by private companies. But it is very difficult for the Government to work such undertakings at so cheap a rate as can be done by companies. I know that the Government in India has undertaken necessarily many enterprises which here are left to private agency; but my own recollection of the Australian Government is not favourable to the financial success of such undertakings. Only the other day we heard that the Government of Victoria were increasing the rate of postage and reducing the number of trains, because they were not remunerative. It is for these reasons that Her Majesty's Government have not thought it prudent to undertake this great additional service, and have decided to leave the working of it to

private companies. Her Majesty's Government, in these circumstances, feel bound to oppose the Motion of the hon. Member. With regard to the profit of the revenue that is likely to be derived from supplying the public demand for a telephonic service, it is a remarkable thing that an extension of the service beyond a certain point involves a reduced profit. A Director of two American Telephone Companies has informed me that it sometimes takes two or three years of the amount of subscription to pay for a fresh installation, and it is not until the lapse of that period that any profit begins to be derived from the particular subscriber. Those things ought to operate as some excuse for the companies not having brought the cost of their service within what some would call reasonable bounds. We will, however, try to improve the system; and I make bold to say that, in a short time, telephone communication will proceed at a rate hitherto unknown. There are one or two points upon which there is some misapprehension which it is desirable should be removed, and if I oppose the Motion of the hon. Gentleman I think it right to show that the offer of the Government is not illusory, and that we have the same object as the hon. Gentleman has at heart. We propose that trunk communication shall be established as widely as possible between one part of the country and another. There is no reason why new companies should not be formed to create new exchanges. I have not the least doubt that in a very short time we shall hear of the establishment of new companies and new exchanges, although the existing companies could establish new exchanges with special advantages; and behind the companies, if they fail, is the power of the Government to erect exchanges of their own. We desire that telephone communication should be established as widely as possible between one part of the country and another. I have pointed out that there is no reason why new companies should not be formed to create new exchanges; I know of two or three which are only waiting for the settlement of this policy to start. New companies would commence with

special advantages, for they would avoid the mistakes and imperfections of the earlier experiments. Undoubtedly, if people desire to have an exchange in their town, and cannot conveniently establish a company of their own or are not efficiently supplied by an existing company, the Post Office will come in, as in the case of Newcastle and Hull, and supply telephone exchanges, and perfect the system. The safeguard of the taxpayer will be our possession of the trunk wires and the fact that a proportion of any profits arising from the increased transactions of the companies will accrue to the Post Office and go to the direct benefit of the Revenue.

MR. SUMMERS (Huddersfield): Is there to be a metallic return?

*SIR J. FERGUSSON: Yes, in all cases under our control. I now desire to point out that no part of this policy requires the sanction of an Act of Parliament, it is all within our existing powers. The Bill is only to extend the facilities for the construction of telephones and telegraphs, I hope with due regard to the rights of Local Authorities and private individuals. I have been describing a new development of the policy to be pursued by the Post Office under the authority of Her Majesty's Government. Undoubtedly the House of Commons will have to be consulted as to the Vote for carrying out this policy as regards trunk and main lines, which will require a considerable expenditure of capital, and will increase the Post Office vote *ad hoc*, so that Parliament will then be asked to endorse the action which is proposed. We propose to relieve the companies of the burden which has hitherto rested on them in the heavy charge for way leaves, 20s. a mile, where the Post Office has a monopoly, and practically to give them permission to use the post offices as public call offices. I hope that the result of the competition will not be to diminish the profits of the companies, but that they will share in the extension of this scheme which is so much desired, and is calculated, as I believe, to place this country in as full possession of telephonic convenience as any country in the world.

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*(4.55.) MR. PROVAND (Glasgow, Blackfriars): We have heard a great deal in the way of complaint against the telephone service, mostly by those outside the House who are users, but some of the statistics given by the right hon. Gentleman will give a better idea of how inadequately London is supplied as compared with the third rate towns in America. He said that in one town there was a telephone to every 80 inhabitants; and in another one to every 120; in London the supply is one to every 750 inhabitants. That is to say, that London, the largest and richest city in the world, the greatest business city in the world, has only one telephone to 7, 8, 9 or 10 in the second and third rate cities of America. Some hon. Members have spoken as if this Motion meant that the Government were to buy up the Telephone Companies, but there is nothing to that effect in the Motion; it merely says that the telephone monopoly should be worked in direct connection with the Telegraphic Department of the Post Office. It was at one time the monopoly of the Post Office, but the Post Office granted licences to 13 companies, though only three or four of them are in use at the present time. These licences have yet 20 years to run, and meanwhile the Government have the option every seven years of buying the companies up, the next opportunity being in six years time. It has been said that at present telephones are a luxury of the rich; in London they are not a luxury of any kind, but a painful necessity at all times to those who have to use them. It seems to be suggested that the Government should take over the telephones because they would do the work better than the private companies but they have not done so in the places where it has been tried. In Leicester the number of Government telephone subscribers has remained stationary while those of the National Company have considerably increased. In Manchester the Mutual Telephone Company got a large number of subscribers in a very short time. I understand that the inter-town service which the Government intends to take over and work is profitable, and that in some districts it pays enormously. The hon. Member who is connected with the National Company said

that the number of messages in one day between Liverpool and Manchester was 47,000, a number which appears extraordinary. I have been told that the lines between Glasgow, Edinburgh, Leith, and other large towns in Scotland pay good profits as do also the lines round Birmingham and in the manufacturing districts of Yorkshire. If the Post Office will take over and properly works these lines, they may do it with a very good return on capital expenditure. I am sorry that the right hon. Gentleman has not told us more as to what is to be in the Bill, which is not yet laid on the Table of the House, though the matter has been under consideration for 18 months, and I hope there will not be such delay in its production as will cause any risk of its not passing this Session. I fear I cannot vote for this Motion, because if it means that the Post Office is to start exchanges in opposition to the licensed companies that would be inequitable, the more so that they pay to the Post Office ten per cent. of their earnings. Of course, the Post Office can establish them where licensed companies do not exist. If it means that the Post Office is to buy up the companies and the price is to be settled by arbitration on the basis of the returns, I shall vote against the Post Office doing any such thing. If the Chancellor of the Exchequer were to bring in a Bill asking the House for the money to buy the telephone businesses of this country, and were severely examined as to what property he would get for the money, the House would refuse to give it. If the Motion proposes to purchase without saying on what terms, I am afraid I am unable to vote for the Motion of my hon. Friend.

***(5.5.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square):** This matter so deeply concerns the finances of the country that, perhaps, the House will not object if I should say a few words on the subject, notwithstanding the speech of my right hon. Friend the Postmaster General. I think the Executive Government, if I may say so in no Party spirit, and the Civil Service, may congratulate themselves on the fact of the readiness with which the House seems disposed to entrust a vast new business to a Public Department. One would

have thought during some of the Sessions that have elapsed that so many complaints have been made as regards the Post Office administration, that any proposal asking for power to extend the business of that Department would have been very severely criticised by the House. But I take it from the general expression of opinion, so far as one could gather it, that notwithstanding the complaints that may have been brought against that Department, the House still has considerable confidence in it, and is not afraid to intrust it with new and increasing duties. While accepting that confidence, I think it is a principle which should not be pushed too far, and I am not prepared to accept to an indefinite degree the growing disposition of the public to place new duties on the State. The Postmaster General is, I think, at present at the head of an army of 100,000 persons, and the relations which he has to establish and maintain between the heads of Departments and this mass of *employés* is of growing importance, and we must not look forward with any light heart to the number of Government servants increasing in such vast numbers as they do now from year to year. I know the hon. Member for Lanarkshire takes an entirely different view on that matter, and I, perhaps, differ from him just for the reasons which make him assent to the proposals. I do not think it wise in the interests of the country generally that the Government should be continually extending its functions. I wish the House to be extremely careful, and especially in such a case as this, before they ask the Government to put its hand to new work of these dimensions. I think I may fairly say that my late right hon. Friend, Mr. W. H. Smith, who had as much experience as any man of Public Departments and of private business, took the strongest view on this matter, and was entirely a party to the view which the Cabinet took on this matter, namely, that they would not undertake to buy up the whole of the telephone business of the country. We wish the House to know how far we are prepared to go in order to meet the case, and we are not prepared if it can be avoided—and I think it can be avoided—to take up the whole

of the business of the Telephone Companies. The hon. Member who has just sat down (Mr. Provand) put two very pertinent questions to the hon. Member for Glasgow, who introduced this matter. He asked whether it was the intention of the hon. Member that we should buy up the whole of the Telephone Companies, or that the Government should compete freely without any compensation against the companies. On the point of buying up the companies, if the House were determined that that is the best way of proceeding, it would be found that an enormous expense would be incurred. With respect to the other matter, of course it would be impossible for the companies to compete, and it would be necessary to take some steps in the nature of money payments to the companies. I remember perfectly well what happened when the Telegraph Companies were bought up, and I shudder at the recollection of the enormous price which the Government had to pay under those circumstances when the private companies stood on their various rights. The public at that time were determined that the telegraphs should be taken over, and the cost was immensely greater than it would have been if the matter had been approached with greater caution. I do not wish the Government to be placed in a similar position with regard to these telephones, and we have, on the other hand, to submit to the House a plan which I think combines the simplicity of Government control with the expansion which we may expect from private enterprise. My right hon. Friend has explained how the trunk lines would be taken in hand by the Government, leaving to the localities the working of the local exchanges. If this is done I believe the public will be better served than if the Government took over the whole business, because there would be competition in the localities to serve the public as well as it could be served; and the attitude we should take up towards the Local Authorities will ensure that when we are assured that a town is badly served, competition should be introduced by another company, but where a town is sufficiently served there should

not be all the inconvenience of multiplying wires, taking up the streets, and useless machinery which is inevitably attendant on the establishment of competing companies. It has been suggested during the course of this discussion that the Local Authorities might be willing to undertake the telephone business themselves. I see nothing contrary to the Government policy in such a proposal. If in any particular town the telephone system is not established, there is no reason why they should not undertake it, and communication be established with the rest of the country through the trunk lines which would be in the hands of the State. But though I have spoken strongly against the Government taking more into its hands than is necessary, I think the time has come when it is absolutely indispensable for the Government to have the trunk lines in its hands, because, unless the Government have these trunk lines, we cannot have the competition which is desired by the country. If the companies retain these trunk lines it would be impossible that there should be fair competition. Why has the National Company got a practical monopoly over the other companies? Because they have the trunk lines in their hands, and any telephonic circle which is established is only half useful unless it can be put into telephonic communication with the whole of the rest of the country. The consequence is that if any particular locality is not connected with the trunk lines it is only half-served, and does not get the full benefit of the telephone. And so, in one sense, the Government by taking the trunk lines into their own hands can secure free trade in the localities. On the other hand, we wish the Local Authorities to exercise supervision. I do not know whether the House is aware of the powers which the Government possess in this matter, but there are powers under which they can act, and which render it unnecessary that any fresh Bill should be introduced. In the licence granted by the Government are these words—

"Nothing in these presents contained shall prejudice or affect the right of the Postmaster General from time to time to establish, extend, maintain, and work any system or systems of telegraphic communication."

Several hon. MEMBERS: Yes; telegraphic communication.

*MR. GOSCHEN: That covers telephonic communication. I am not sorry for the interruption, because it gives me an opportunity of explaining here that telephones are practically telegraphs, and it has been held that the same powers which the Government possess with respect to telegraphs they can apply to telephones. But I will read again this extract from the licence:—

"Nothing in these presents contained shall prejudice or affect the right of the Postmaster General from time to time to establish extend maintain and work any system or systems of telegraphic communication (whether of a like nature to the aforesaid business of the Company or otherwise) in such manner as he shall in his discretion think fit neither shall anything herein contained prejudice or affect the right of the Postmaster General from time to time to enter into agreements for or to grant licences relative to the working and user of Telegraphs (whether of a like nature to those worked and used by the Company or otherwise) or the transmission of telegrams in any part of the United Kingdom with or to any Company person or persons whomsoever upon such terms as he shall in his discretion think fit."

Therefore all the licensees have been warned that the Government has retained the power in their hands, and it will not be against either the spirit or the letter of the licence if we establish trunk lines; but I do think that it would be against the spirit of the licence if we were to take the local arrangements entirely into our hands during the continuance of that licence, to the detriment of those who on the faith of that licence have been extending their system up to the present moment. I hope the House will consider these fair terms, and I venture to hope that they will not pronounce against the Government, in the sense of asking that the Government should take over the whole of this undertaking. We have gone a long way in this direction, and we have confidence that we shall be able to work this system with great elasticity, though I am fearful as to the effect of the telephone on the telegraphic revenue. But we have come to the conclusion that financial considerations ought not to prevail against the extension of the telephonic system, in what is considered by the

public to be a convenient and sufficient form. We do not wish the arrangements of the Treasury to interfere with the development of the telephonic system. This discussion has been a very useful one, and has shown the various points on which the public convenience ought to be considered, and I think the House will admit that the policy which the Government asks it to follow is sound and just.

*(5.20.) MR. ROBY (Lancashire, S.E., Eccles): I think this is a time when the telephone system may be extended with great advantage, and I trust that this Resolution will be pressed to a Division. I cannot help thinking that the Government, even if their present plan is adopted, will find in the long run that they are compelled to go a step further, and the only effect of putting off that step is that they will have to pay very much more for the telephones, when they do purchase, than they would have to pay at present. I am not disposed to advocate any inequitable dealing with the Telephone Companies, but it is one thing to deal equitably, and another to deal on the basis of extreme rights. The Government will find at some time that they will be compelled to take the whole system, and I think the wiser course would be to face the matter at once. I cannot agree with the argument of the Postmaster General that an increase in business means a corresponding increase in expenditure, because the cost of extending machinery or plant is not so great as laying it down in the first instance. And we find in all works that while certain extensions lead to an increase for the moment of the cost of the product, increased business after a while largely reduces the cost.

SIR J. FERGUSSON: The hon. Member does not properly estimate what is meant by the extension. New subscribers mean new wires and new instruments, and these cost as much as the wires and instruments in the first instance.

*MR. ROBY: I cannot deal with the matter from my own personal knowledge, but I think the view I suggested is not without reason. But I want to suggest, further, that increased facilities

for extension must be placed in the hands of those who are working the Post Office. At present the Government secure all they can out of the Post Office telegraphs, whereas the Exchequer ought to be content with a fixed sum in the way of profit, and to allow the excess to be used by the Postmaster General for the prosecution of experiments or extensions in order that all possible advantages and facilities should be given to the public. The Department should be worked to some extent for the benefit of the public as well as for profit. There should be more elasticity in the arrangements which exist between the Postmaster General and the Chancellor of the Exchequer. If the business is carried on by private companies, the profits go to the shareholders, and the public get little of the benefit, whereas if the Government had stepped in and bought the telephones, any profit that is made would be devoted to the reduction of taxes in some way, direct or indirect, and the public would be eased in that matter. Whether it would not be possible to work some part of the system by arrangement with the Local Authorities is a suggestion well worth considering; but as the telephones are competing with the telegraphs, I think it would be right to make a good mouthful of the business, and for the Government to take the whole matter into its own hands.

Question put.

The House divided:—Ayes 205; Noes 147.—(Div. List, No. 57.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

PAYMENT OF PUBLIC OFFICIALS.

(5.43.) DR. CLARK (Caithness): I rise to call attention to the payment of officials in England, Scotland, and Ireland. Last year I called attention to the Estimates for Scotland. This year I shall confine myself to pointing out, in the Estimate dealing with Local Government and one or two other Estimates, where Scotland does not get a fair share of the Imperial grant. I may say, so far as Scotland is concerned, even in the Scotch Office here in London, the officials are paid according to the scale and rate existing in

Scotland. Next door to the Scotch Office is the Home Secretary's Office; and the senior clerks in the Home Office are paid at the rate of from £700 to £800 a year. The senior clerks in the Scotch Office are paid at the rate of from £450 to £600 a year. There might be something in the argument of the Chancellor of the Exchequer and of the Treasury, that people in Scotland did not pay as much as they do here for either clothing or food; but here is an officer living in exactly the same town and same street, who, in the English Office is paid £800 a year, while in the Scotch Office he is paid £450 a year. I only want to point out that the argument used last year does not apply. I want to call the attention of the House to the Local Government Vote for the three Kingdoms. The total amount of the Vote for England is £162,049; for Ireland, £133,792; and for Scotland, £9,117. What I object to is that this is contrary to the decision arrived at when we agreed that one-half of the Probate and Licence Duties should be paid for the purpose of cutting off these local elements—in fact, taking them away altogether from Supply; and still we find, notwithstanding the fact that England is getting half the Probate and Licence Duties, we are here still paying in England £3,626 for the inspection of Poor Law schools, and we are still paying £48,964 for district auditors. All these sums ought not to be defrayed from the Imperial taxation at all. In England you have got a medical officer who gets £1,200 a year, with two assistants at £1,000 a year each, and nine Inspectors receiving from £500 to £800 a year. In Ireland there is a medical officer receiving £1,200 a year, and four Inspectors receiving from £500 to £700 a year. In Scotland you have only got one medical officer, for whom you pay £200 a year, and there are no assistants and no Inspectors. The result is, that there is no proper inspection, and the Public Health Act is not properly carried out and enforced in Scotland. In consequence of the parsimony of Parliament in this respect as regards Scotland there are hundreds of preventible deaths occurring in Scotland, and what ought to be done in Scotland is what has been done in the

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case of England and Ireland—namely, to provide a sufficient number of medical officers and Inspectors. There are cases in which costs defrayed by local rates in Scotland are here defrayed partly by local rates and partly by a subsidy from Parliament. The cost of registration in Scotland is entirely defrayed by the local rates, and it ought to be so defrayed in England. We bear the entire expense in Scotland. I think that in England and Ireland the entire expense should be defrayed by the local rates. We ought not to vote from the Imperial taxes a single penny towards it. I shall at the proper time move that this Vote be disallowed on the ground that it is not required. The subsidies in respect of England and Ireland ought to be discontinued. But there is a much more important question, and that is the subject of technical education. In England there is a Royal College of Science, and in Ireland there is a Royal College of Science, and these are subsidised, but not a single penny is given to Scotland for that purpose. Therefore, our Scotch lads who have to compete for situations in the open market are unfairly handicapped by the State paying this money for technical education in England and Ireland. I shall at the proper time move the reduction of the amount given to England and Ireland for that purpose. There is another matter to which I wish to refer. £15,000 was voted for England and Scotland three or four years ago; but the whole of that amount has been spent on England only, and any for Scotland curiously refused. As I pointed out on the last occasion, there is also a great disparity between the pay of the prison officials of the three countries. The chaplains particularly are very badly used. The salaries of the second-class officials in England begin at £400, and go up to £500. The salaries of the chaplains of that class in England begin at £350 and go up to £450; in Ireland they begin at £325 and go up to £400; whilst in Scotland the chaplains and surgeons begin at £200 and go up to £300. When I raised the question last year I was told by the then Secretary to the Treasury that the reason was that there were more prisoners in the

English prisons than in the Scotch prisons; but when I looked at the Returns, I found that the very opposite was the case. Take a large one in Scotland—Barlini—there is an average attendance daily there of 740, while in Stafford there is an average of 588, and in Wakefield 591. Now, in Wakefield the chaplains and surgeons get £350 to £400; at Barlini, where there is a larger attendance, they get from £200 to £300. Therefore, they are underpaid in Barlini. I shall have again to call attention to these special Votes, and to move their reduction to the Scotch level. I think that in this, as in many other things, we are rather badly treated by the Imperial Parliament. I call the attention of the right hon. Gentleman (Sir J. Gorst) to it, in order that he may be able to rectify our grievance, and see that a sum of money is voted to Scotland equal to that voted to England and Ireland.

(6.2.) THE SECRETARY TO THE TREASURY (Sir J. GORST, CHATHAM): I do not know whether hon. Members expect to have a detailed answer to the observations they have made. They have criticised the Estimates with the view of showing what is spent on England and what is spent on Scotland; but the question is, I think, whether, in the different parts of the Kingdom, a sufficient amount is spent to make the Service efficient; and if Scotland can do it efficiently for a less sum than England, so much more is it to the credit of Scotland. I do not think that the pay of the chaplains in Scotland alone should be considered, but whether the Services as a whole are adequately conducted and whether the necessities of Government are met. The hon. Member has selected several Scotch services on which the expenditure is less than on the same services in England and Ireland. It would be easy enough to pick out instances in Scotland where the expenditure is very much greater in proportion. For example, the administration of the Education Act in England costs £58,000, while in Scotland it costs £10,000. But Scotland is a country where the population is more diffused than in England, and therefore education is proportionately more expensive. It.

would be foolish, however, to complain of such expenditure as an injustice to England. Again, the inspection of factories, workshops, and mines in England costs £144,000, while in Scotland it costs £26,750, which is in the proportion of one to eleven, instead of, according to the population, two to fifteen. The question to be considered in each case is, whether the service is adequately performed, and not what is the relative cost. The total cost of the administration of prisons in Scotland is higher than it is in England, the proportion being two to seven, or twice as much as it should be if it were in proportion to the population of the two countries. With all respect to the hon. Member, I think that to compare the salaries in Scotland with those in England or in Ireland is not a very useful course to pursue, and that neither the House nor the Committee of Supply will derive any advantage from carrying on the discussion.

(6.8.) MR. CALDWELL (Glasgow, St. Rollox): I wish to point out that the Post Office officials, as well as other officials in Scotland, are not paid so well as those who discharge similar duties in England. We wish to see equal salaries paid to them in both countries. In Scotland we are taxed equally with the people of England, and no allowance is made for the fact that Scotland is a poorer country than England—we are taxed up to our full population. Therefore, there is no reason why our officials should be paid less than those in England. The result was this: when you take out of the Imperial Estimates the Scotch grants and take off the English grants you have left on the Imperial Estimates a great many grants to England for which there is no corresponding grant to Scotland at all. There is on the Imperial Estimates for England £162,049, whilst opposite to that we have only £9,117 for Scotland. On the Imperial Estimates there are large sums for England for which Scotland gets no allowance whatever. For example, an item such as this: Inspection of Poor Law schools, several thousand pounds. In Scotland Poor Law schools are paid out of Scotland's share of the Probate Duty—the money allocated to Scotland as a separate

nationality—and charges corresponding to that ought in England to be charged to the Local Government Account. Then, I notice some other charges, and amongst them engineering establishments of the Local Government Board Medical Department, Local Government Board Inspection of Alkali Works, &c. All these are properly chargeable against the English Local Government Account, and are not properly chargeable on the Imperial Estimates. There is another point—namely, technical schools. There are in Scotland no technical schools corresponding to those you have in England, and, consequently, there are no corresponding grants to the Scotch people. This endless confusion and endless discussion has arisen from the Chancellor of the Exchequer having divided an Imperial Account into what are now National Accounts. That is one of the defects that will confront the Government at every stage, and their difficulties will not be lessened by the result which these separate accounts show—namely, that England is dipping more deeply into the Imperial pocket than Scotland.

MR. WALLACE (Edinburgh, E.): I do not think the right hon. Gentleman the Financial Secretary to the Treasury has improved the feeling between the different sections of the Empire by the speech which he made a few minutes ago. I do not like to use the expression, but I really think he was adding insult to injury. During the speech of the hon. Gentleman the Member for Caithness I noticed that the right hon. Gentleman walked down the length of the floor to the Bar. I knew his object; he was in quest of facts, but found no person able to give him the information he desired. That being so, on taking up the Paper, he commenced to live, in a sense, on his wits. But we know in Scotland that people are proverbially insensible in a matter of this kind to the effects of the highest line of jocularitv. We want something that is practical, and the right hon. Gentleman, to my mind, did not afford us very much satisfaction of that description. He affected to say that the reason why the number of public servants in Scotland was so low, as compared with England, was that the work could be done there more

economically. But, Sir, there is a certain justice to be observed. I admit that the public servants in Scotland are more economical to the Exchequer. What we complain of is that that is an oppression and an injustice, and we say that the persons who do the work in Scotland do it on starvation lines. Why should that be—why should starvation lines be the Scotch standard, and liberal lines the English standard? These are the grievances we complain of. The right hon. Gentleman thinks he satisfied us by placing the grievances in a way that was more favourable, but we are not so insensible to the way of putting things as the right hon. Gentleman is pleased to consider. We know the reason why there is this disparity of remuneration in one country as compared with the other is simply this: that England is a supremely powerful nationality in comparison with ourselves, and that they have unjustly used the power they possess. It is simply the weakness of our Scotch representation that prevents us from having a fair recognition in the distribution of public servants, and the remuneration necessary for the maintenance of those servants. The right hon. Gentleman will not put off the Scotch people with this explanation: that it is an honour to us that we can do the public work that is wanted in a more cheap, and I presume in a proportionately more perfunctory form. We know that is not true. Sir, sufferance is the badge of all our race. I say that with a non-Hebrew application. We do not want to maintain that badge, and the proposal of my hon. Friend the Member for Caithness is that, as far as possible, that badge of not only of sufferance, but of dishonour and disgrace, should be done away with. The right hon. Gentleman the Secretary to the Treasury, in casting his eagle eye over the Papers, fell upon one or two facts. What is the explanation of the fortuitous advantages he descried in looking over that Paper for the first time? It is simply this: that we have not been totally unsuccessful in pursuing our claims even against the English public. Sir, the voice of remonstrance and the claims of justice, although not perfectly responded to, are

sometimes listened to in a diminished degree, and I think it was clinching the disadvantage he brought against us when he used the imperfect facts that came to his knowledge in attempting to corroborate his sophistical and fallacious—and I would use another word if I had it at my command—arguments in connection with a portion of the Empire that deserves very much more respect, not only in general but in financial aspects, than it is getting at the present time. The Scotch public understand perfectly well how the matter stands, and, taking it all over, it was well put by my hon. Friend and new ally the Member for St. Rollox (Mr. Caldwell). They perfectly well understand that the financial disparity is, on the whole, a true index of the political disparity and of the absence of the respect properly due to the Northern part of the Island. The right hon. Gentleman the Financial Secretary gave up the case as regards the frightful cost of administration in Ireland; but as regards the weaker part of the Empire (weaker, I mean, in point of representation), with regard to the Scotch portion of the Empire, it is simply sat upon and neglected, because it has not the amount of representative power that the other portions of the Empire enjoy. It does not occur to me to press the matter any further. I desire, with my colleagues, simply to emphasise the feeling that we are not fairly treated; that we are treated with a contempt that ought not to be extended by the more powerful to the less powerful part of the Empire; and I trust that the small success that we have achieved in connection with certain parts of our administration in regard to their financial value will, by the persevering pressure of the Representatives of Scotland, extend so that bye-and-bye the right hon. Gentleman will not have it in his power to attempt to evade an honest and proper and statesmanlike explanation of the clear facts which he contradicted by resiling from practical truths and falling back, I will not say on flippancies, but on cleverness and on an adroit manipulation of arguments which he knows how to use, but which will not deceive those to whom they are addressed.

MR. HUNTER (Aberdeen, N.): I think we have a right to complain that when a notice of this kind comes forward for discussion no Representative of the Treasury Bench acquainted with the facts is here to deal with it. That is all the more to be regretted, because the right hon. Gentleman the Secretary to the Treasury, although he possesses great natural acuteness, exhibited to this House this afternoon a total and complete ignorance of the facts of the situation. It was only a gentleman completely ignorant of the state of the facts in Scotland as well as in England, who would, for one moment, have compared the office of Secretary for Scotland with the Home Office. Sir, the Office of the Secretary for Scotland is not only the Home Office, but a Local Government Office, and an Education Office and a Home Office all rolled into one. If the right hon. Gentleman had known that elementary fact he would not have made the comparison in which he indulged. Nor do I think the right hon. Gentleman was fortunate in his defence of the low salaries of the present officials in Scotland. The right hon. Gentleman said, "Do not look to the money, but look to the efficiency." If he is aware of the fact that you could go into the market and obtain as efficient a doctor for £200 as the gentleman to whom you are now paying £400 there would be some force in his observations; but the right hon. Gentleman knows perfectly well that that is not the case, and that the result of the extremely low salaries paid in Scotland is this: that you get a less efficient class of public servants, and must do so. You cannot get any properly educated or qualified medical man to serve in a prison in Scotland at £200 a year. No Scotch doctor, unless at the very bottom of his class, would take such a position at such remuneration. Sir, what we complain of is the inevitable inefficiency that results from the employment of inferior workmen. You have only to look to Irish salaries. I am quite prepared to admit that in Scotland you will get men of equal efficiency at somewhat smaller salaries to do the same work that is performed in England. England is a richer country than Scotland, but Scotland is

twice richer than Ireland; therefore, the salaries in Ireland, if the contention of the right hon. Gentleman is to have force, should be lower than they are in Scotland. But in point of fact they are on a much higher scale, and that is a complete answer to the argument of the right hon. Gentleman. If Scotland is to get the benefit of these economies one might appreciate them, but the monies go into the Imperial Exchequer. I do not desire to say anything in favour of exorbitant salaries, and for this reason—that I look forward to the time when Scotland will manage her own affairs and get the advantage of her own economies. Instead of paying per head of the population in Customs and Excise an equal amount to that paid in England, Scotland paid last year more than a million in excess of her proper share. Therefore, Sir, Scotland's contribution to the Imperial Exchequer is far in excess of the fair proportion which she ought to pay, having regard to her population and her wealth; and yet, on the other hand, we have all the Departments of State in Scotland treated in a mean and scurvy and unhandsome fashion, the salaries being insufficient to attract a proper class of men.

GRANTS TO FISHERY HARBOURS.

(6.30.) MR. LLOYD - GEORGE (Carnarvon, &c.): I have a notice of Motion on the Paper relating to the distribution of grants in aid of fishery harbours in the United Kingdom. I do not wish to detain the House at length, but I should like to point out the result of these grants so far as Wales is concerned. I find in Class II. a considerable grant in aid of the development of fisheries in Scotland, and another grant not so large in aid of the fisheries in Ireland, but I see no grant in aid of fishery piers and harbours in England and Wales. Last year the Government spent £15,000 on the building of piers and harbours in the North of Scotland, and £11,000 on a pier at Thurso for the development of fisheries there.

DR. CLARK (Caithness): I beg to say that was money lent for which the Thurso people pay interest; it was not a grant at all.

MR. LLOYD-GEORGE: It was money lent by the Government, not by private individuals, and that is the point of my case. We should be glad of a grant for Wales on the same principle, not getting it absolutely without return; we are prepared to accept it on the same terms as it was made to Caithness. There are Fishery Boards exercising authority in Cardigan Bay and elsewhere on the Welsh coast; but the great complaint is that although these Boards are able to prevent illegal fishing and dredging within a certain distance of the shore they are unable to do anything for the permanent improvement of the fishing industry. There is not a single harbour in Cardigan Bay for the protection of fishing boats, and the same may be said of other parts of both the North and South coasts of Wales. I am not competent to speak of England, but last year I did hear an English Member call attention to a similar deficiency in regard to some parts of the English coast; but into that part of the question I am not competent to enter. Resolutions have been passed by fishing communities in favour of petitioning the Government to consider this question, and last year I called the attention of the right hon. Gentleman the President of the Board of Trade to the subject. I do not recollect the words of his answer, but so far as my memory helps me, I think he did promise to look into the matter, and I would again earnestly press it upon his attention. We do not desire that the harbours should be made absolutely and entirely out of Imperial funds but that a certain amount should be granted in aid of local subscriptions, or that the Treasury should grant loans on such terms as may enable Local Authorities to undertake the work. Along the coast with which I am most acquainted there are no harbours, so that boats coming from the Isle of Man have, at the least sign of bad weather to return though they may be within a couple of miles of the Welsh coast. The Welsh fishing industry is thus severely handicapped, while, at the same time, large sums are devoted to the development of the fishing in Scotland and Ireland. May

I press the right hon. Gentleman to give us some promise in this respect?

(6.35.) MR. T. E. ELLIS (Merionethshire): I hope the right hon. Gentleman will give this subject his favourable consideration. I have on two previous occasions asked him whether he could see his way to help the Fishing Authorities on the West coast of Wales to secure experts' opinion as to where and how it would be best to construct harbours. As the right hon. Gentleman is well aware there are only small towns on the seaboard of the Western District each anxious to advocate its own claim to a harbour, but so long as we have not expert opinion to decide where a harbour would be best placed, and how it would best be constructed, the work of securing a harbour at all is at a standstill. Without harbour accommodation the fishing industry cannot develop, and I hope we may have some promise of substantial assistance beyond the statement of the fact that the Loans Commissioners can make advances for the purpose. The small towns I mention cannot act together. I know the interest the right hon. Gentleman takes in the development of the fishing industry, and I hope he will promise that an expert's opinion shall be provided as to how and where it is best to provide the most needed protection for the fishing vessels on the Welsh coast.

*(6.38.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I can hardly understand how this question arises on the Civil Service Estimates, in which no sum is included for any work of the kind.

MR. LLOYD-GEORGE: Yes; in Class 2 Vote 28 Grant in Aid for Scotch Fisheries.

*SIR M. HICKS BEACH: Well, I do not wish to dwell upon that. I gather that the request is that certain sums should be granted or loans made by the Commissioners towards the construction of fishing harbours, but neither of the hon. Members has expressed any opinion as to the place where such grants should be expended. I may observe that on the West coast of Wales there are two good harbours at Milford Haven and at

Holyhead, and for fishing vessels excellent shelter is afforded by Bardsey Island. I do not say that some additional harbour accommodation may not be necessary, but it is absolutely impossible for me in the absence of any definite request to make any definite promise. If there is any general opinion in Wales that something should be done towards assisting the construction of a harbour at any particular place, surely it is for those concerned to formulate that opinion and lay it before the proper authority, and if such should come before me it will certainly be carefully considered; but I am bound by the terms of the Treasury Minute of May 4th, 1887, which practically precludes grants, and confines my duty to the consideration of applications for approval to loans upon proper security. If hon. Members desire to obtain grants they should endeavour to induce the Secretary to the Treasury to adopt the view that Wales should be put upon the same footing with Scotland and Ireland, and that it would be beneficial to the fishing industry of Wales that grants should be made. But it is not in my power, all I can do is to consider any definite proposal for a loan coming before me. The hon. Member has referred to the Sea Fisheries Committees, and surely they might take expert opinions and if they think necessary formulate some scheme.

BRITISH MUSEUM CLOSING TIME.

*(6.41.) COLONEL BRIDGEMAN (Bolton): I take the opportunity to direct attention to the hours at which the public are excluded from the British Museum. Yesterday I addressed a question to the Secretary to the Treasury whether the hours for closing the British Museum could not be made the same as those for the Natural History Museum, and the reply was that it could not be done without additional expense, and that this additional expense prevented the change being made. Four or five years ago I asked a similar question, and obtained a similar reply in regard to the Natural History Museum at South Kensington; but after one or two letters had passed between the Treasury and the authorities at South

Kensington, the additional time was granted and there was no additional expense for the extra time in February and March. All I ask is that the same time should be extended to the Museum in Bloomsbury. No doubt I shall have the same reply in regard to expense, but that ought, I think, to be infinitesimal for the extra half-hour. I hope the right hon. Gentleman will use his influence with the Trustees to get this extension for the public. I have been at the Museum in February and seen the people turned out into the streets by the police at four o'clock while an hour and a half of daylight remained, and I could not but think it hard that the people should not be permitted to enjoy their own Museum for a short time longer.

(6.45.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): My right hon. Friend cannot speak again, but he desires me to say that the Trustees of the British Museum have been consulted, and they see considerable difficulty in making the extension which would involve considerable extra expense. As a matter of fact the Museum is open longer than the other institution with which the hon. Member has compared it unfavourably. The matter, however, shall receive attention, and the Trustees shall again be referred to.

POST LETTER-CARDS.

(6.45.) MR. MORTON (Peterborough.) There are one or two questions I desire to raise in reference to Post Office administration, and one of these has reference to Ocean Penny Postage, but I do not know that it is of any use arguing it in the absence of the Postmaster General. Perhaps the right hon. Gentleman will consent to adjourn the Debate until we can have the advantage of the presence of the Postmaster General? Of course, if he does not agree to that I must proceed now. The first matter I have to mention has reference to what are called post letter-cards. I have no desire to prevent getting into Committee, or to stand in the way of Business, but I know from experience that we cannot rely upon finding an opportunity later in the Session when the Post Office Vote is taken somewhere about the middle of

July. On a former occasion I objected to the price charged to the public for these letter-cards, namely ten for a shilling. I think they might be sold for a penny; and I find that in foreign countries they are sold at a much cheaper rate. Here is a sample of the cards sold in Austria at the rate of 20 for a shilling. Why cannot we sell the cards in this country at as cheap a rate? I am bound to say the policy of the Government in this country is to regard the Post Office business as a means for obtaining revenue rather than as an institution for the service of the public.

(6.49) MR. A. J. BALFOUR rose in his place, and claimed to move, "That the Main Question be now put."

MR. SPEAKER: I must leave the responsibility with the hon. Member. I understood him to say he had no desire to prevent a decision being taken on the Motion?

MR. MORTON: I desire to finish my remarks.

Question put, "That the Main Question be now put."

(6.52) The House divided:—Ayes, 183; Noes, 107.—(Div. List, No. 58.)

Main Question put accordingly, "That Mr. Speaker do now leave the Chair."

(7.3) The House divided:—Ayes, 188; Noes, 97.—(Div. List, No. 59.)

SUPPLY—considered in Committee.

(In the Committee.)

It being after Seven of the clock, the Chairman left the Chair to make his report to the House at Nine of the clock.

Committee report Progress; to sit again To-morrow.

(9.0.) MR. KILBRIDE (Kerry, S.): The Motion which stands in my name is one of very considerable importance

to a large section of the Irish people. It closely concerns all the tenant farmers of Ireland who have not succeeded in acquiring the ownership of their holdings under the Ashbourne Act or the Land Purchase Act of last year. It is because of the importance of the Motion—because it is I believe, bound up with the future prosperity of Ireland—that I desire to elicit from Members representing different parts of Ireland opinions in regard to the compulsory purchase of land. I do not intend, and I hope I shall avoid, the introduction of Party differences. I know this is a question which is more and more agitating the public mind; it is thrusting itself to the front; and I trust it will receive favourable consideration in the House, having in view the fact that again and again Parliament has affirmed the principle of land purchase. So far back as 1870 we had what are called the "Bright Clauses." Those clauses in the Act of 1870 failed owing to the fact that the whole of the purchase money was not advanced. Only three-quarters of the purchase money, I believe, was allowed to be borrowed from the State; and the tenant farmers of Ireland at that time, and unfortunately since, have been unable to find the 25 per cent. of the whole purchase money. The "Bright Clauses" of the Act of 1870 failed from this cause, and the Ashbourne Act is more liberal in its character. That Act allows to the tenant purchaser the advance of the whole of the purchase money by the State, with no security—or practically no security—to the State for the advance. No doubt 20 per cent. is retained by the State for five years; but, after the expiration of that period, the only security the taxpayers of England will have for their ten millions of money will be the security of the land itself. I believe that under any scheme of land purchase, no matter how you may hedge it round by artificial safeguards securities, and guarantees, the only real security is the land itself. The British taxpayer has already advanced, or has consented to advance, 43 millions of money for the purchase of Irish land. Ten millions of that have been expended under the Ashbourne Act, and we are told that, the 33 millions sanctioned by the

House in the Bill of last year will be expended. I very much doubt that, because of the nonsensical guarantees and the vexatious arrangements by which the advances are hedged round. I admit that great good has accrued to the tenant farmers of Ireland under the Ashbourne Act, or to that limited section who have been able to avail themselves of it. The number of tenant purchasers are limited by the amount of ten millions under that Act, but I would have the benefits of land purchase extended to the tenants of Ireland as a whole. I do not wish to see those benefits restricted to a minority, who are in no way more entitled to the benefits of the Act than the majority who are excluded. While I admit the good that land purchase has done, I must allow that, on the other hand, it has created many gross anomalies in every county in Ireland. This may seem a sweeping statement to make to hon. Members who do not know the social condition in Ireland as we do, but let me point out that some of the largest land proprietors in the country—such as the Duke of Abercorn, the Marquess of Londonderry, and the Duke of Leinster, and others—have, under the Ashbourne Act, sold land to the amount of £200,000 or £250,000; and these noblemen, in selling their land, sold just as much as would relieve them from their mortgages and other encumbrances—and sold the least valuable parts of their estates no doubt—and were governed in the sales by the geographical position of the land. They would naturally sell the outlying portions of the land rather than that contiguous to the residence. But how in fairness can such a distinction be made from the tenant's point of view? Why should the man because he lives on the outlying portion of an estate receive a benefit of from 25 to 30 per cent. reduction in his annual payments, and his neighbour living on the better land receive no such benefit? Such a distinction cannot stand the test of time or the next serious wave of agricultural depression. Think what a gross anomaly is created by one man living on one side of a road paying his full judicial rent without the slightest probability of his ever acquiring any

other property in the soil, while on the other side of the road is a man, who has purchased under the Ashbourne Act, who gets his 25 or 30 per cent. reduction in his annual payments, and at the end of 49 years becomes absolute owner of his holding. No sensible man can maintain that such a state of things can continue. It may continue so long as the tenant farmer is able to pay his rent; but when he finds himself unable to meet his judicial rent, then the anomaly comes home to him, and you will have further agitation, which I think will be generally admitted is not desirable in Ireland. I want to see the Irish land question settled, but I see no finality except in compulsory purchase. I do not believe it is possible to continue a system of dual ownership. When Parliament was passing the ameliorative measures for Irish tenants it was not intended that the benefit should fall only on the few; it was never intended that land purchase should be for some of the tenants of the Duke of Abercorn or Lord Londonderry, or the Duke of Leinster, more than for the tenants of the small proprietor who lives on his estate. It may be hard to compel a proprietor who lives at home and looks after his estate to sell his land; but what I want to do is to put all tenant-farmers in Ireland upon a level, that, so far as their rent-paying capacity may go, they may have an incentive, an encouragement, in the knowledge that, at the end of a certain term of years, they will become owners of their holdings. Again and again since 1870 we have been told that there is no way more effectual to create in the Irish farming class loyalty to the English connection than to make them owners of their farms. But how can you ever accomplish this except by powers of compulsory purchase? The hon. Member for South Tyrone (Mr. T. W. Russell) has said, with regard to Lord Clanricarde and landlords of that class, that they ought to be compulsorily expropriated. I think the hon. Member said that a landlord like Lord Clanricarde was a standing menace to the peace of Galway. But how can you expropriate such a landlord without some form of compulsory purchase? I certainly do not see how you can, and it is because I desire to see the expropriation of

landlords of this class that I desire to see some form of compulsory purchase adopted. I believe this advantage of 20 or 30 per cent. is a mere lottery as to who shall get it; and while the few successful men are well pleased, the many disappointed feel a deeper grievance as times of agricultural depression come round, and so the effect of your Land Purchase Act will be to encourage disaffection, not loyalty, and to make men more anxious for separation if there are those who desire separation. It certainly is not a condition of things calculated to promote the maintenance of the Union. I am not wedded to any particular form of compulsory purchase; all I desire is an expression of opinion from Irish Members—more especially and particularly from those representing Ulster constituencies. I think Ulster Members will admit this is a burning question among their constituents. In other parts of Ireland we have succeeded in getting considerable reductions of our judicial rents; but our brother farmers in the North, perhaps because of their loyalty, have not been equally successful. The benefit is, perhaps, measured by the amount of agitation. But we want no distinction between farmers in the North and South, and I am quite ready to advocate the interests of the Ulster farmers apart from all political opinions. My Resolution goes in the direction of Amendments supported last year in the discussions upon the Land Purchase Bill by Members from Ulster. I think an Amendment of this kind was proposed at the instance of considerable bodies of farmers in the North of Ireland. I remember seeing in the Lobby of the House a deputation of associations in Counties Down and Antrim, by whom this Amendment was supported. If I remember rightly, one proposal was that where two-thirds of the tenants on an estate paying three-fourths of the rental desired to purchase then the Land Commission should be entitled to buy the whole estate at a fair price, and sell to the tenant purchasers, thus relieving the landlord from the trouble and expense of having a portion of his estate separated from the rest, and left on his hands. I do not desire to commit any hon. Member to this or any other

Amendment. I simply ask the House to affirm the principle of compulsory purchase in the direction of these Amendments. My Motion declares that compulsory sale is just and expedient; the justice is found in the fact that the present condition of affairs creates glaring anomalies and gross injustice. It is a gross injustice that upon one side of a roadway a farmer should have to pay 30 per cent. more annually than his neighbour opposite. Compulsory purchase is expedient on many grounds. It is expedient to remove an inequality among tenants which is sure to breed discontent, more especially in large portions of Ulster, but in all the provinces of Ireland. It is expedient also to create the largest possible number of landowners in Ireland; and this ought to have especial weight with hon. Gentlemen on the other side, for ownership is supposed to check all radical and revolutionary ideas, and so I trust that hon. Members opposite will pledge themselves to support a comprehensive scheme of land purchase which will turn all Irish tenant farmers into strong Conservatives.

*(9.24.) MR. KNOX (Cavan, W.): In rising to second the Motion of my hon. Friend, I feel bound to comment on the strange fact that for six years past—perhaps excepting Home Rule—compulsory sale of land has been the question most actively discussed in Ulster. It is a question upon which, strange to say—though there are differences upon other matters—there is practical unanimity among all tenants North and South. It is a question upon which differences of sect have not been able to create any differences of opinion. Nevertheless, this is the first occasion upon which the House of Commons has been called upon to discuss this question of so much importance to the people of Ireland. The reason for this fact is, I believe, that until the Land Purchase Act was passed last year, we felt that in bringing this question before the House of Commons we should be fighting “as one that beateth the air”—we should have no practical grounds to go upon, for it is obvious it is not within the powers of private Members, even on a private

Members' night, to propose the grant of an enormous sum of public money. But by the Act of last year Parliament has made that enormous grant, and we have now a clear case to put before the House of Commons asking the House to decide, in principle, of course—not in detail—on a Resolution that the power of compulsory purchase is necessary in order to apply this large sum of money to the full benefit of Ireland. I notice, with some surprise, that the hon. Member for South Tyrone (Mr. T. W. Russell) has put down an Amendment to the effect that—

“Whilst anxious for the fullest development of Land Purchase in Ireland, this House cannot profitably consider or assent to any proposal for the application of a general system of compulsory sale which is not accompanied by adequate financial plans for the carrying out of the principle involved.”

If I understand this Amendment rightly, the opinion of the hon. Member is that the House should not discuss a measure of compulsory sale unless it is proposed by a Minister of the Crown, who has the power of proposing that a large charge shall be made on the Revenues of the United Kingdom. In fact, it seems to be the object of the hon. Member for South Tyrone to put off the discussion until Doomsday. I can quite understand this. A discussion on this question is very awkward for the hon. Member. There are many of his constituents who, though they are in other questions keen supporters of the hon. Members, yet in this agree with us. I cannot, however, understand how the House can accept this Amendment, seeing how the House was occupied for the greater part of last Session. To read the Amendment, it might be supposed that the hon. Member for South Tyrone had forgotten the long-drawn discussions on the Purchase of Land and Congested Districts Ireland Bill. Several months the House spent in discussing the Bill, and I think with some adequacy. The majority of Members of this House were heartily tired of the Bill, and sick of the sound of “cash” and “contingent guarantees.” Nevertheless, at this distance of time the hon. Member for South Tyrone seems to have forgotten it all, though he was most diligent in attendance—the watch-dog of landlordism—while his landlord friends lounged in the smoking

room or caroused at the Carlton. An enormous sum has been ticketed off for land purchase, and we contend that this should be properly applied. I agree with my hon. Friend beside me in thinking that though the sums already voted by Parliament are not enough to pay for holdings in Ireland, they are sufficient to go a long way towards the settlement of the Irish Land Question if properly applied. The amount which was voted by the Act last Session was not fixed. We cannot exactly say how much was the actual Vote for the purpose of land purchase. Certain Estimates multiplied by 25 will give us the amount. These Estimates are Estimates which increase year by year; they had increased largely since the first calculation was made by the Government; and they will be increased still further by the Education Bill of the present Chief Secretary, which is now before the House of Commons, which will devote a further sum of over £200,000 a year to National Schools in Ireland. The effect indirectly of that measure will be to increase the fund for land purchase by £5,000,000 sterling. Therefore, we find the sum voted is a good deal more than £30,000,000, the popularly supposed amount. We find, according to the last Estimates, with the addition of the £200,000, that the amount which has been voted for land purchase is no less than £38,750,000. We have in addition to that £10,000,000 which has already been spent for the purpose of land purchase. Therefore, we have a sum of nearly £50,000,000 which has been devoted by Tory Governments for the purpose of land purchase in Ireland. That sum is almost exactly the same as that which the Government of the right hon. Gentleman the Member for Midlothian, in 1886, supposed would be sufficient to settle the more pressing difficulties of the Irish Land Question. And if at that time, six years ago, the Government representing the British nation considered that £50,000,000 would be sufficient for the compulsory sale of land in Ireland by enabling the landlord to compel the tenant to buy, I venture to think that £50,000,000 is enough, at any rate, to enable us to apply the beginnings of

compulsory sale the other way round. That sum of £50,000,000 is not, I venture to think, an inadequate financial Vote. We take no credit for the sum, except so far as it is due to the agitation which compelled the Government to give the money. The money is voted, and when we come before the House of Commons and ask that, under the Land Purchase Act, the money already voted should be applied in this way, we think we are not going into the region of castles in the air, but that we are bringing before the House of Commons proposals for the utilisation of sums they have already set aside for this purpose by Acts of the Imperial Parliament. Of course it would be easy to make a calculation which would show that a still larger sum might be necessary. I have great doubts of these calculations, which are based merely on Agricultural Returns, so-called, presented to the House of Commons. We have one case of real experience to guide us—i.e., the number of holdings which have been taken into Court under the Fair Rent Clauses of the Act of 1881. Yet very little more than half the reputed number of holdings in Ireland have had a fair rent fixed under the Act, and that after a period of ten years. We find further, when we go into details, that we have to make many exceptions from the total number of holdings before we arrive at the number to be purchased. In the first place, large holdings are already excluded from the Land Purchase Act. Speaking for myself, under a measure of compulsory purchase I would be prepared to see something further done in the way of excluding the large holdings. And even if this money already voted may be taken to be the last sums that are likely to be voted on Imperial security for the purpose of land purchase, yet I say the resources of Ireland and the resources of any administrators or legislators for Ireland will not be exhausted. It is the fashion to laugh and scoff at the notion of Irish security. I say it would be possible on Irish security to give stock bearing not very much higher interest than the 2½ per cent. borne by the stock issued under the Land Purchase Act of last

year, and which would, nevertheless, rank higher in the financial market. We have an instance in the case of the Corporation of Dublin. A little while after the Chancellor of the Exchequer converted Consols, the Member for West Belfast, then Lord Mayor of Dublin, converted the loans of the Corporation of Dublin with a loan at 3¼ per cent.; and while the loan of the Chancellor of the Exchequer stands to-day at a discount of five, the loan of the Corporation of Dublin stands to-day at a premium of five over and above the price at which it was actually put on the market. I hope the House will not be put aside from the discussion of the just claims of the tenants of Ireland by any well-woven web of financial speculation drawn out by the hon. Member for South Tyrone. We do not ask the House in this Motion to pledge itself to any single farthing of further grant for land purchase beyond what has already been made; we merely ask them to assert the principle that those monies, having been voted for the purpose of land purchase, should really be applied to land purchase in Ireland. What has been the effect of this Act? You have put before the eyes of the Irish tenant farmers the great prize of nearly £40,000,000, but you have so hedged it round with safeguards and securities that the Irish tenant farmer, for the life of him, cannot get near it. A man who may have found it hard enough to get on at his present rent finds this great grant of money removes him no further from starvation and debt, so that the effect of the great act of justice and mercy of the British Parliament is to add the tortures of Tantalus to the pains of starvation. You have simply put this great boon out of the reach of the Irish tenant farmer. The Amendment of my hon. Friend would bring it into reach. I ask the House on every ground to decide that it is expedient that this great sum should be used for this purpose. We have many arguments which we could use in favour of a measure of compulsion. In asking the House to apply compulsion in this way we move on the lines of well-considered English and Irish precedents, and we ask for an extension of a

principle already recognised. There is compulsion in the English Allotment Acts and in the Irish Labourers' Acts. There was compulsion in the Redemption of Rent Act of last Session. The tenants who got the benefit of that Bill were those who had taken land at a full agricultural rent for ever, who had feued their land. Those tenants usually had large holdings; they had their land for ever at a fixed rent, a rack-rent, no doubt, but that was a thing they could not foresee at the time they took the land: in fact they merely made a bad bargain. I ask whether, if compulsory sale is permitted in that case, without providing means for every tenant in Ireland to buy his holding, it is not within the province of this House to assent to the principle of compulsory sale in the case of other tenants numerous enough to take the whole of the money already voted? As to the Small Holdings Bill, we find among Liberal Unionists and some Tories, as well as Liberals, a general expression of opinion that the great fault of the measure introduced by the Minister for Agriculture is that it contains no provisions for compulsory sale. I find from the speeches of the right hon. Gentleman the Member for Midlothian, of the hon. Member for Bordesley, and of some Conservatives, there was unanimity on the point that for England compulsion was necessary. And under what condition? Under the condition that the English County Councils might be allowed to break up the boundaries of existing holdings, and take the land in patches of fifty acres wherever they liked over the whole of the area of a county, and to take these holdings for the purpose of selling them out to tenants whom they were afterwards to find, and who had never been tenants before. If the County Council in England, having a number of landlords to choose from, would be unable to get land conveniently at a fair price, how much more impossible will it be for a poor Irish tenant, who can buy one plot of land, and one only, to make terms with the one landlord, and the one landlord only, who is in a position to sell to him? I cannot understand why this Vote should not be

supported by the almost unanimous voice of Liberals and even some Conservatives. There is a precedent in Ireland which comes even nearer the point. We have a system of dual ownership by landlord and tenant. But you have already given the landlord the power of compulsorily expropriating the other dual owner, the tenant, at a price fixed by the Court. The Land Act of 1881 contains provisions for the compulsory sale of the tenant's interest in the land to the landlord on certain conditions. I ask why, if ten years ago you gave one dual owner the right to expropriate the other, you should now refuse to the tenants of Ireland the right to expropriate the landlords at a fair price? There is another point of strong reality. It is impossible in many cases under the present system to arrange, by any voluntary arrangement, to sell holdings at a fair price in Ireland. If it was thought necessary to have compulsory sale before, it is much more necessary now. This argument has occurred to many people, but no one has put it so well as the right hon. Gentleman the Member for Midlothian, who, speaking on the Land Purchase Bill in 1890, dwelt at considerable length upon the fallacy of supposing that a fair settlement could be arrived at by what was called voluntary arrangement. He said—

“As long as you allow these contracts under the name of voluntary engagements, the landlord can screw out of the tenant whatever terms he likes. I do not mean that every landlord will do this, but there are many who would. I am showing what we ought not to permit. We are placing in the hands of the landlord an instrument enabling him to enrich himself, and to obtain an excessive and exorbitant price for his land, in direct contravention of the intentions of Parliament. That is what Ulster is well aware of. Ulster is not deceived. Ulster sees into it. The tenants there are somewhat stronger than they are upon the average in Ireland; their position is a stronger position; but what is the language they hold? The language they hold is that if you want to have a useful Bill it must be not voluntary, but compulsory. The tenants must have the right to require that the purchase should take place. That is a very different demand, and it involves a very serious question. I am not going to give an opinion upon that subject now. I am pointing out by an argument, which I think irrefragable, that the tenants, for the sake of whom we are going to pledge British credit, will be at the mercy of

the landlord. After having made this enormous and unprecedented effort and placed ourselves in a position of the greatest disadvantage, it is the landlord who will be master of the position."

May we not use the same argument now that practically the same Land Purchase Bill has passed into law, and ask that the tenant should be taken out of the unfair position in which he is placed and be given the right to compel the landlord to sell at a fair price. The tenants on an estate in my own constituency were going to be evicted, but, though their holdings have not, and never had, any economic value, out of love for their holdings they signed agreements to purchase them and the landlord's interest at a price which is unfair both to themselves and to the British taxpayer, who is the guarantor. That is what is happening day by day. My hon. Friend has also very clearly shown the disadvantage to the tenants where some have been able to buy their holdings while others have not. There were some in that position on the estate of Sir R. Wallace, the Court having refused to sanction the terms in some cases. This is a real grievance to those tenants who have to compete for their living by the sale of their produce, when the difference in their annual payments means everything. There are also tenants on encumbered estates who cannot possibly arrange terms for the purchase of their holdings. The hon. Member for South Tyrone (Mr. T. W. Russell) supports the principle of compulsory sale in such cases. That would affect probably half the tenants in Ireland. A Return, issued about two years ago, shows that there were 2,250 estates under the control of the Landed Estates Court; of these more than half had been in the Court five years looking for purchasers who never came, and several had been in the Court since 1877. At one time the Court was considered the most expeditious way of realising property; now it is the last refuge of spendthrift landlords who want to avoid being sold up. Tenants on these estates cannot buy their holdings, and surely there is no reason in justice or political economy for keeping these landlords in possession of estates they cannot improve, instead of letting them realise the capital value, if any, of the property, and earn

an honest living in other countries. If the hon. Member for South Tyrone wants to deal practically with this question, instead of his Amendment he would have put down a rider to the Motion to the effect that the principle should first be applied to the encumbered estates, and that would have been accepted by my hon. Friend, and would have got rid of most of the plague spots which still disfigure the face of Ireland. Again, the present system gives a premium to disorder, and the peaceful tenant who regularly pays his rent cannot get as good terms as the man who does not pay his rent or pays at irregular intervals. I should have thought that the principle of sanctity of contract, which is written deep down in the Anglo-Saxon mind somewhere, would have made the Anglo-Saxon mind revolt against a system which rewarded lawlessness and punished the law-abiding citizen. The tenants of Ulster have seen this point very plainly, and, indeed, the position of the tenant in Ulster is a difficult one, for he sees the tenant who pays his rent irregularly able to get good terms from his landlord while he cannot do so. Is that the last reward that is being given to the tenantry of Ulster for their allegiance to the British law and constitution? If hon. Members do not take care, there will be none left to fight when the time comes in Ulster. Many tenants are being expropriated, and in Monaghan the diminution in population in the last few years has been greater than in any county in Ireland. If the House does not give the Ulster tenants power to purchase in the Court at a fair rent the tenants will find it better to emigrate. I took the best means I could for enabling my tenants to become peasant proprietors, and I ask that other landlords in Ireland should be compelled to do what I have done voluntarily. I ask that justice shall be done to the Ulster men in spite of their law-abiding spirit. They will have their opportunity at the next General Election of asking their Representatives why they opposed this Motion for compulsory sale which would give to them as great benefits as have been given to the tenants in other parts of Ireland. If they find their Representatives, in spite of the

repeated demands of the Presbyterian and Protestant tenants in the most law-abiding counties of Ulster, vote against their views, they will consider whether it would not be better to change their political ways rather than send Members to Parliament who oppose the other Irish Members in everything. I ask the House to accept this Motion because it is just, because it is expedient, and specially to accept it in the interest of the tenant farmers of Ulster as well as in the interest of the tenant farmers of the rest of Ireland. On this question Irish opinion is practically united. If there is to be a settlement of Irish grievances in accordance with Irish opinion the principle in this Motion must be carried into law. It is impossible, unless some such principle be carried into effect, to satisfy the unanimous demand of the toiling tenant farmers in the North and South of Ireland that they should be turned into the owners of the land they till.

Motion made, and Question proposed,

"That, on grounds both of justice and expediency, it is desirable that tenants in Ireland should be enabled to compel their landlords to sell to them their holdings under the Land Purchase Acts at a fair price."—(*Mr. Kilbride.*)

*(10.15.) MR. T. W. RUSSELL (Tyrone, S.): There is one sentiment in which I cordially agree with the Mover of the Resolution; this question undoubtedly excites great interest in Ireland, and especially in the Province of Ulster. That would not be gathered from the appearance of the House. I do not see the leaders of the Irish people below the Gangway, and if I look at the other side of the House I see a remarkable absence of Ulster Members. The attendance of Irish Members would not lead to the conclusion that this is a question of all-absorbing interest in which the country is profoundly concerned. The hon. Member for Cavan (Mr. Knox) took pains, however, to let it be known what was the real object of this Motion. Hon. Members below the Gangway have their eye on the General Election and upon the Province of Ulster. They know perfectly well that the flag of Home Rule carried through the Province of Ulster is not likely to win much for them, and still less likely

is the tattered flag of Irish Clericalism to do them service. They have, therefore, made up their minds, with a good deal of wisdom, to appeal to the Ulster tenants upon a question that touches their vital interests. The Ulster tenant farmers are, at all events, an exceedingly practical, cool-headed race of men, and the first thing they will be inclined to ask is, what is the record of the gentlemen who propose this Resolution, and urge its acceptance on the House of Commons? The hon. Member for South Kerry (Mr. Kilbride) admitted with candour that the Ashbourne Act had done great good in Ireland, and the hon. and learned Member for Cavan absolutely expressed gratitude to the Tory Government for the Land Purchase Acts. That being so, and hon. Members having clearly admitted the benefits the Irish tenants have derived from these Acts, I want to ask what has been the record of hon. Members below the Gangway in reference to these beneficial Acts? In 1885 the question was first brought to a practical issue, and the House of Commons unanimously voted £5,000,000 sterling for the Irish tenants to purchase their freeholds. In 1888, when that money was exhausted, the present Government proposed to give another £5,000,000 to renew and extend the Act. Hon. Members have admitted that that Act has done good work, and the Member for Cavan (Mr. Knox) blessed the Government for what it had done. On the 22nd November, 1888, when the House was asked to pass the second five millions 67 Members of the Irish Party voted against the Second Reading of the Bill, and if they had had their way half the freeholders created under those Acts would now be yearly or judicial tenants. The second Ashbourne Act was passed in spite of hon. Members below the Gangway. On the 1st May, 1890, the first Land Purchase Bill came to issue in this House. It was a better Bill in every respect than the Bill of last year, but though it proposed to place at the disposal of the Irish tenant farmers a sum of thirty millions of British credit for the purchase of their holdings, 78 Irish Members—practically a unanimous Party—walked

Mr. Knox

into the Lobby against the Second Reading, and sought to deprive the tenants of this great boon. Six months later, on the 3rd December, the Bill which is now the Land Purchase Act was brought before the House, and it proposed to place thirty-three millions of British credit at the disposal of the Irish tenants. Where were hon. Members then? All of them were in London, but they were occupied in Committee Room No. 15, and only 25 of them, headed by the late Mr. Parnell, came down to vote for the Second Reading. The rest abstained from voting. The first thing an Ulster farmer would do, if a politician went to him with a proposal like this, would be to ask for the record of the politician, and the Party which has deliberately, for its own purposes, opposed land purchase throughout the present Parliament, and at the last moment demands compulsory purchase, will find that Ulster farmers will immediately see through that design. But what have these Land Purchase Acts done in spite of hon. Members below the Gangway? Up to the 1st March last, under these Acts, 23,781 loans had been sanctioned by the Land Commission: that means that 23,781 freeholders had been created. A good deal has been said about Ulster, but that Province had had no fewer than 12,554 of these loans, Leinster had had 3,839, Munster 4,496, and Connaught 2,892. Ulster had, therefore, had its fair share in the general division. With respect to the working of the present Act, the Member for Cavan declared it to be inoperative, and the object of the Resolution he said was to make it operative. We were told that the Act was a failure, and the figures referring to the number of applications for loans have been paraded before the House as if they were complete evidence of that failure. But it must be remembered that when that Act was passing through the House there was a surplus of three-quarters of a million under the old Ashbourne Act not disposed of, and the Government at first proposed to amalgamate that surplus with the Land Purchase Bill. But the Member for Longford objected, and it was finally

decided to leave the money where it was and allow it to work itself out. What has happened since the Bill became law in August last? In August there were 456 applications for loans, amounting to £189,151; in September there were 982 applications for £343,544; in October 216 applications for £80,981; in November 69 applications for £32,282; and in December 64 applications for £9,101. The total under the Ashbourne Act for the last five months in 1891 was 1,787 applications for a total sum of £653,059. In the last three months under the new Act the applications were: In October 4 for a sum of £943; in November 66 for £35,924; and in December 105 for £42,717. Thus the total for the three months under the new Act was 175 applications for a sum of £79,584, and the grand total under the various Acts from August to December was 1,962 applications for a sum of £732,643. Therefore, I contend that up to the 31st December it is absolutely impossible for anyone to say with truth that the operation of land purchase was not going forward as rapidly as it had done previously. Up to that time the average number of applications per month was 408, and that would give 2,040 for five months, and I have shown that in the last five months of last year the number of applications was 1,962. But I have as well another set of figures. I asked the Chief Secretary yesterday if he could tell me the number of applications which had been made under the new Land Purchase Act up to the most recent date, and he has given me figures brought down to yesterday, and that practically covers three months. These figures show that in that period there have been 1,253 applications for loans for a sum of £444,612; and thus it is seen that this Act, which hon. Members below the Gangway—and I am sorry to say also above the Gangway—wished precipitately to pronounce a failure, has had under it more applications in the time than were made under the Ashbourne Act, and that hon. Members have been too premature in their denunciation.

MR. SEXTON (Belfast, W.): Do those figures include the large settlement on the Ponsonby Estate?

*MR. T. W. RUSSELL: I cannot say whether they do or not. The settlement on the Ponsonby Estate only included 109 applications, and I do not care whether for the purpose of my argument they are included or not. These are the official figures, and I say that in the face of them it is impossible for any hon. Member to say that the Act has been inoperative. But this question is largely one of finance.

MR. SEXTON: May I ask a question?

*MR. T. W. RUSSELL: This is how the hon. Member served me the other night. He told me that he was engaged in a complicated argument, and as I should have an opportunity of following him he preferred that I should allow him to proceed and speak myself afterwards. Now, I am only treating the hon. Member as he treated me. I take it that if you are going to adopt the principle of compulsory sale in Ireland you can have no half-way house. I introduced the question of the compulsory sale of encumbered estates to my constituents, and they promptly told me that if I wish to remain their Member I must stop advocating a system which would confer a benefit on the tenants of badly-managed estates, and would press hardly upon those who lived on well-managed estates. The lowest estimate before the Land Purchase Act was passed as to the amount that would be required for the purchase of Irish land was something like 100 or 120 millions. The right hon. Member for Midlothian estimated it much higher, but I will take 120 millions. You can deduct 40 millions as the amount passed by the Land Purchase Act, but that still leaves a sum of 80 millions which would be required before you could carry out the Act all round. Take, for instance, the County of Antrim, where the principle of compulsion is most strongly advocated. Antrim's share in the guarantee fund is about one million pounds; that would be exhausted in a fortnight, and then I ask hon. Members where should we be? If you propose to limit the operation to the sum stated in the Act you would no doubt increase the number of tenant purchasers, but you would have a clamorous host for whom there

was no money. Then hon. Members would have to come to this House and ask for the surplus which I hold to be logically involved in this Resolution. Then it has been said that this is the old leaseholder question over again. Under the Act of 1881 the yearly tenant was allowed the right of fair rent, but it was denied to the leaseholder because he was a leaseholder. The consequence was that a great difficulty arose in Ireland with which at last Parliament had to deal. The leaseholder had a right to his fair rent. But purchase is not a right, and I say that the Irish tenant farmer cannot come to this House and demand money as a right for the purchase of his holding. The fact that one proposal carries money with it and the other does not will, I suppose, have considerable weight with Members on this side of the House who are ready to give Ireland anything and everything but cash, but the moment cash is mentioned they strike. Then, again, I say that the argument for compulsion makes havoc with another argument—the argument against the Insurance Clause. This clause is said to be operating against the purchase of their holdings by the tenants, and you cannot logically hold both opinions; and the proposal to-night is to legalize compulsion, Insurance Clause and all. You cannot hold both these opinions, and, for my own part, I do not believe that the Insurance Clause is the difficulty. But, as I have said, the question is mainly one of finance; and if the First Lord of the Treasury or the Member for the Stirling Burghs (Mr. Campbell-Bannerman) will reconsider their position of last year, and are prepared to ask the British taxpayer to make good this large sum of money, which I hold will be required, three-fourths of my difficulty will be removed. But I should then have still to consider what the Resolution calls the justice and expediency of the proposal, but what I prefer to call the rival injustices and inexpediences of the proposal. The injustice of the present system to the Irish tenants cannot be denied; but so long as the remedy remains in the region of financial impossibility I do not see that we can get very much further by discussing it. When the

financial impossibility is obviated I shall be willing to discuss the rival injustices and inexpediencies that are involved in this Resolution. I think there are injustices on both sides. The injustice to the non-purchasing tenant is clear. But it is now proposed for the first time to sell up a landlord against his will and without any increased price because of the compulsory sale. Hon. Members dare not propose anything of this kind for England, or, indeed, for any other class. Again, it is proposed to sell up the Irish landowner and expropriate him, and yet to compel him to leave behind him one-fifth of the purchase money as a guarantee deposit. You propose to keep as security one-fifth of the purchase money. I do not believe that hon. Members themselves would stick to that; and yet it is involved in the proposal they make to-night. Then there are other difficulties that anyone facing this question seriously would have to consider. You talk of expropriating the landlords, but that would raise a labourers' question in Ireland. The labourers of Ireland are employed to a considerable extent by the landlords in Ireland, and you cannot expropriate the landlords without raising a labourers' question. More than that, when the Irish Church was disestablished, one of the great arguments used was that the Church would be perfectly safe because of her members, because of the landed class, because of the monied class. I say that the moment you propose to expropriate the Irish landlords in this fashion you raise the question of the maintenance of that Church. (Laughter.) I give no opinion about it. I say you will raise the question, and you will have to discuss that question in Ireland. I can understand the hon. Member for Cavan laughing. He first of all got his education in England; he then chose an English profession; and then he sold his Irish estate and bolted with the swag, voting at the same time against the Bill under which he did this. I can quite understand the hon. and learned Gentleman, who has cut his connection with the country, not caring what becomes of either

Church or State; but that is not the position of the great bulk of the people who will have to live in the country. And I say all these rival injustices on both sides will have to be fairly considered when this question is faced; and I am bound to add that to face it by an abstract Resolution and a debate limited to three hours is only justifiable on the ground I have stated to the House—namely, that business is not meant in this House, but in the Province of Ulster, where I venture to tell him the proposal will not get a much better reception than it has got here. My position is perfectly clear upon this matter. Alone—and the hon. and learned Member for Cavan has admitted it before now—alone amongst Unionist Members in Ulster I have opposed this proposal. He has quoted my speeches over and over again; therefore I am not doing to-night what I have not done in Ulster. I am pledged to my constituency against this proposal. Even if I was willing to vote for it, I dare not, and I could not. I ask the House to pause and consider what is involved in it. The proposal is an absolutely new proposal. We have heard of compulsion before, I admit, in this matter, but of a very different kind. The right hon. Gentleman the Member for Midlothian in 1886 proposed compulsion, but compulsion of a very different kind. He did not propose to compel a landlord to sell. He proposed that where landlords, flying from the wrath to come, were anxious to sell, that then the tenants should be compelled to buy at a fixed price. That was a totally different proposal. Then we have had proposals made about compulsion to re-instate the evicted tenants. Nobody will contend that these proposals are on the same lines as the proposal of this Resolution. Then we have had set before us to-night the proposal of the Rent Redemption Act. The hon. and learned Member for Cavan stated that I was one of those who supported that measure, which involved this principle of compulsion. But what the Rent Redemption Act did was this: the perpetuity leaseholders were enabled to give their landlords an option or choice, and if the landlord refused to fix a fair rent or allow a fair rent to be fixed, then he

could be compelled to sell at a fair price. This proposal to expropriate a whole class is actually made when these hon. Gentlemen are announcing that they are on the eve of a new birth in Ireland; that they are going to create a new heaven and a new earth there by Act of Parliament; and they are going to commence that beautiful and saving operation by banishing, as far as they can do it, a whole class of Irishmen. Well, that is a most unstatesmanlike proceeding. It is well seen that their late Leader is in his grave. He, at all events, said they could not spare a single Irishman. I know what landlordism is responsible for in Ireland; and I know the bitter memories that cluster round the word; but I think it is not wise, when this House has passed Act after Act to deprive landlords of their power for evil, to say to these men without any distinction, "You must sell and go." The Marquess of Clanricarde has been trotted out here to-night. I am as ready as ever I was to support a Bill to expropriate the Marquess of Clanricarde. That is one thing. It is another thing to say that I am anxious and willing to expropriate and drive out of the country men like the Duke of Abercorn, Lord Belmore, Mr. Hugh Montgomery, and other landlords I could mention. I have no desire to see these men driven out of the country. I have no desire to see men like the O'Connor Don driven out of Roscommon. I believe this is largely a financial question, and until the financial possibilities of the case are proved there is no use in discussing the question. There is no use in sending an Irish farmer to a fair to buy a horse without giving him money to pay for it; and the Irish farmers will see that. I say, until the financial possibilities are made plain, I am not ready to befool or deceive the Ulster tenants. When these financial impossibilities are removed, if they ever are removed, then I say there will be a fair case to consider the hardship of the non-purchasing tenant as regards his purchasing brother. It is because I believe it is useless to discuss the proposal until we have found either the money or the credit to carry it out that

Mr. T. W. Russell

I venture to move the Amendment that stands in my name.

*(10.55.) MR. SINCLAIR (Falkirk, &c.): I shall not detain the House in seconding the Amendment proposed by my hon. Friend. In his speech the hon. Member for Cavan stated that there was practical unanimity on the question of the compulsory purchase of estates amongst the tenantry of Ireland. If that be the case, how does it happen that we have no practical scheme now proposed? The hon. Mover and hon. Secondor of the Resolution both made no attempt whatever to deal with the two questions that are contained in the original Resolution—the question of justice and the question of the expediency of compulsory purchase. Instead of taking up and grappling with the difficulties that undoubtedly underlie the question of compulsory purchase, they left these difficulties severely alone. Indeed, I might say that much of the speech of the hon. Secondor, and almost the whole speech of the hon. Mover, of the Resolution was a speech in defence of the Amendment of my hon. Friend. The difficulties that underlie compulsory purchase are very great, and any of the proposals that have been made in this House, or I believe outside of it, to give compulsory powers under the Allotments Acts or otherwise, were made under very different conditions from those contained in the Resolution before the House. Take, for instance, the Small Holdings Acts which were recently before the House. It was suggested that compulsory powers should be given to the County Councils, who would pay cash for that which they bought; the buyer would have to pay cash, and the seller would have to be paid in cash, for that which were sold. But the proposal here is to compel the landlord to sell his holding and take stock in lieu of it; but it does not compel the tenant to buy, and, indeed, under the proposal it is impossible to compel him to fulfil his engagement even if he entered into one. There is no power to compel him to pay his instalments. I have never heard in any case of compulsory powers being applied except under three conditions: the first is that there should be a special inquiry into the case; the second is

that a public necessity should be proved for such compulsory purchase ; and the third is that the purchase money that may be awarded shall be paid in cash. The great safety of the Irish Land Purchase Acts and of all the transactions that have taken place under these Acts has been that before anything can be done, before any sale can be effected, before any advance can be made by the Land Purchase Commission, the buyer and the seller, the landlord and the tenant, shall join together in an agreement as to the fair price at which the holding is to be sold ; and that great safeguard would be entirely taken away under any such proposal as is embodied in the Resolution now before the House. I have, therefore, come to the conclusion in saying, with my hon. Friend, that until a fair and reasonable financial proposition has been laid before the House whereby such a great scheme can be carried into effect it would be unsound and unsafe, alike for the landlord and the tenant, to suggest that the principle of compulsory purchase should be applied either in Ireland or elsewhere.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "whilst anxious for the fullest development of Land Purchase in Ireland, this House cannot profitably consider or assent to any proposal for the application of a general system of compulsory sale which is not accompanied by adequate financial plans for the carrying out of the principle involved,"—(*Mr. T. W. Russell*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(11.1.) *MR. DICKSON* (Dublin, St. Stephen's Green) : I confess it was with considerable surprise I listened to the speech of the hon. Member for South Tyrone, especially that part of it where he referred to my hon. Friend the Member for Cavan having cut his connection with Ireland and sold his property. I think the hon. Member for South Tyrone should remember that he himself cut his connection with his own native land, and that he left Scotland some years ago and chose to take up his residence in Ireland. And I do not see why it should be a cause of reproach against my hon. Friend the Member for Cavan that he acted on the

principle contained in the Resolution now before the House and sold his lands to his tenants, making his tenants the owners at a reduction of their rent of more than 30 per cent. The hon. Member for South Tyrone referred to the hour at which this question was brought forward—nine o'clock at night; but he did not explain to the House that when this place was balloted for four weeks ago this Motion would have come on, in the ordinary course even, at four o'clock in the afternoon. But there is one thing, however, in his speech that the hon. Member for South Tyrone made perfectly plain, and that was that upon this question, as an Ulster Member, he only represents here to-night his own views; and I deny that he represents the views of his colleagues or of a single tenant farmer in the entire Province of Ulster. I happen to know something of the Province of Ulster, and I say this without fear of contradiction: that all through the Province of Ulster there is a unanimous desire on the part of the tenant farmers to become the owners as well as the occupiers of their lands. The difficulties in the mind of the hon. Member for South Tyrone are purely financial. In fact, he assumes the rôle of a Chancellor of the Exchequer, and would not vote for this proposal for compulsory purchase until he sees the way financially open; in fact, he says he will not vote for it until both Front Benches have made up their minds.

MR. T. W. RUSSELL : I said either.

MR. DICKSON : Until either have made up their minds and see their way. All I can say is this: from my experience of this House for 19 years, if he is guided by the Front Benches, he will make a very serious mistake. I know what Front Benches have done in the past, and I know that what Front Benches oppose this year they will support next year, if it be consistent with expediency. I have not the slightest confidence in Front Benches. The hon. Member for South Tyrone, in saying that this question does not affect the tenants of Ulster, utterly misrepresents the tenants of the Province of Ulster.

MR. T. W. RUSSELL : I stated that I was pledged against this question.

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MR. DICKSON: I say so, but I say that your constituency disagrees with you in your views of this compulsory purchase principle; and you would not get five per cent. of them to vote with you on this question. Then, as to the county of Antrim, which used to be the home of the Liberal Unionist Party; why, I thought if there was a county in Ireland whose opinions were to be fairly considered by this House, it was the great county of Antrim. I think the hon. Member heard of the Ulster Land Committee there. Every Member of this House has received from that Ulster Land Committee resolution after resolution passed upon this very question of compulsory purchase. Who are the Ulster Land Committee? Are they Nationalists, or are they that disparaged class that the hon. Member refers to as his Catholic fellow-countrymen, and the uncivilised, and the bigoted? No. The Ulster Land Committee are almost to a man composed of Presbyterians, and every one of them, with one exception, Unionists. The hon. Member for South Tyrone has said that if the House passed this Resolution, Antrim would apply for these £30,000,000 within 14 days.

MR. T. W. RUSSELL: No; what I did say was that the share of Antrim would probably amount to £1,000,000, which would be taken up in a fortnight.

MR. DICKSON: Well, we will say £1,000,000. Does not that prove my case? Yet the law-abiding rent-paying Antrim is to have no more share in the benefits of the Land Purchase Act than the man in the moon. The hon. Member has stated that more than £400,000 has been applied for during the first three months of this year. But what is the rate of purchase under the Ashbourne Act? It is at the rate of £200,000 per month. The hon. Member said in the course of his speech that it would never do to carry the tattered flag of clericalism in Ulster, but I would ask—"who is it that has been carrying the tattered flag of landlordism in Ulster?" The hon. Member poses before his constituents as a great land reformer, but in this House and throughout the country he is known as an out and out supporter of landlordism in Ireland. I want to do the landlords of Ireland no injustice—I want to see them get full value for

their estates. But I also want to see those who till the soil become the owners of the soil. Every purchase under the Ashbourne Act makes the position of the landlords more untenable, and this question must be dealt with on a comprehensive scale. It has been said that I voted against the Land Purchase Act of 1891. That is not so. I voted for the First Reading; I voted against the Second Reading because I believed it would not work; but after it had passed through Committee I voted for the Third Reading. If in Ulster the tenant's interest was put up for sale I believe it would exceed the interest of the landlords. I remember giving evidence before Lord Cowper's Commission seven years ago, when I said that compulsory purchase must come if the peace of Ireland was to be preserved. I was asked by Lord Cowper—

"Do not you think there will be in Ulster a sort of indirect compulsion which will gradually work itself out, and that landlords will soon be compelled to sell."

I answered that question in this way—

"Yes, I believe that will happen, but I look upon that as a most dangerous suggestion, and as a suggestion which, if pressed, will give rise in Ulster to very acute agitation."

There was an instance a short time ago of this indirect compulsion in Londonderry, in the constituency represented by the hon. Member for South Tyrone, where the Drapers' Company and their tenants were at war. The tenants wanted to buy at a fair price but the Drapers' Company would not sell, so the tenants ceased to pay rent for three or four years, and more than 208 police were sent down among them. After three or four years the Drapers' Company consented to leave the case to arbitration, and every tenant was made owner, but only after a peaceable district had been disturbed by agitation. A more dangerous element could not be introduced than indirect compulsion. It is the unanimous wish of Ulster that this Resolution should be accepted.

COLONEL WARING (Down, N.): No.

MR. DICKSON: I say it is, and I ask the House to accept it.

*(11.23.) THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): I must say that

when I saw the Resolution upon the Business Paper I welcomed it with feelings of satisfaction and surprise. I welcomed it with feelings of satisfaction because I regarded it as a Vote of Confidence in the policy of Her Majesty's Government. I welcomed it with feelings of surprise, because it was a Vote of Confidence coming from a most unexpected quarter, and upon a subject which I should have thought would be the last to commend itself to hon. Gentlemen representing Irish constituencies and sitting below the Gangway opposite. I have a lively recollection of the introduction of the Ashbourne Extension Act of 1888. How did hon. Members who are now seeking to extend the system of compulsory purchase receive that measure? Why, they divided against the First Reading and the Second Reading, and although it was a one-clause Bill, it took eight nights to pass it through the House of Commons. An hon. Member said in this Debate—

"Fifty millions have been devoted—I say it with gratitude—by a Tory Government for land purchase in Ireland."

I must say that hon. Members concealed with remarkable ability their feelings of gratitude in 1888. I might say on behalf of that Bill—

"It was all very well to dissemble your love, But—why did you kick me downstairs?"

You did your best and you failed. And how did hon. Members opposite treat the Bill of 1890? I have examined the Division List, and I find there the names of every hon. Member who backed the Bill for compulsory purchase which has been withdrawn in order to make way for the present Resolution, as having voted against the Bill. Hon. Members opposite have certainly a most remarkable record upon this question. At the same time, as I have already remarked, the change in their attitude is gratifying to Her Majesty's Government. Hon. Members opposite can hardly ask me to assume that they were in their hearts in favour of land purchase, while they voted against successive attempts to extend that system. I must, therefore, assume that they have been converted to the policy of the present Government. Now, to what can I attribute their

conversion? It must be to the success of the Act of 1891—a success so great that they are prepared to apply the measure compulsorily to the whole of Ireland. In addition to the exhaustion of the Ashbourne money there have been 1,253 applications for £444,612, and we therefore find land purchase is progressing more rapidly now than it did under the Ashbourne Act. What greater proof of the success of legislation can you have? Now, there was one kind of contribution to the Debate for which I have listened in vain, a contribution for which the ordinary Ulster farmer will look as he eagerly scans the reports of the Debate of to-night, and that is some practical suggestion as to the means by which this Resolution can be carried into effect. It is all very well for hon. Gentlemen, when they find that the policy of the Government is popular in their constituencies, and that there is a demand for the extension of the policy of land purchase throughout Ireland, to come to the House and demand the extension of the policy which they formerly opposed. The Government would, however, like to hear some practical suggestion made as to how it is to be carried into effect. No suggestion whatever has been made on the subject. Take the County Antrim: the sum available is plainly inadequate for compulsory purchase. The case has been put as if there were £33,000,000 for Ireland generally, or even for Ulster, to have recourse to for the purpose of land purchase. Nothing of the kind. There is a definite sum allocated to each county. The hon. Member has represented this as a demand proceeding from Ulster. It is new to find hon. Gentlemen below the Gangway suggesting that in legislation the views of Ulster should dominate over the whole of Ireland. That is one of the novelties to which this House has been treated in the Debate. And where is the money to come from even for Ulster or for the County of Antrim? If a scheme of land purchase was proposed containing some practical suggestions on that point, it would be the duty of the Government to carefully consider it. If the discussion were a practical one, many important considerations would arise. I am of the opinion that the success of the Ashbourne

Act and of the previous attempts to create peasant proprietors is largely dependent on the fact that the sales have been carried out by free and open contracts. Certain hon. Members below the Gangway have warned us frankly that they could procure repudiation in Ireland in regard to land purchase, and the House will readily understand how much greater would be the danger if contracts were not made freely but were forced on one party or the other by means of compulsion. Sir, some topics are suggested by this proposal. In the Bill which has been withdrawn to put this motion in order it was provided that the price, which was to be left to the Land Commission to decide, was not to include any increased value arising out of the improvement that was not proved to have been made by the landlord, unless the landlord could come forward and prove affirmatively that he or his predecessor in title made that improvement. That means land purchase at prairie value. There are other considerations that would arise if this were a practical scheme—the consideration, for instance, whether it is wise to expropriate the landlord class from Ireland. I do not discuss these points, for the reason that I regard this Bill as a palpable sham; it is an attempt to dangle before the eyes of the constituencies some scheme which is suggested to be to their advantage, but a scheme which has no substantial foundation, and which is merely suggested for electioneering purposes. I believe that those to whom these speeches have been made directly—the tenantry of Ulster—are far too sagacious to be taken in and will ask themselves whether this is an honest attempt to legislate for Ireland, or whether it is a mere delusion and a snare.

**(11.40.)* MR. CAMPBELL-BANNERMAN (Stirling, &c.): I must congratulate the right hon. Gentleman on the lively banter of hon. Members below the Gangway in which he indulged in the first part of his speech; but while his banter was lively and amusing, I am not so sure that it is difficult to reconcile the conduct of hon. Members below the Gangway last year and this year. It is easy to conceive that a Member might approve the main object of a measure, though not at all sure of the methods by which

Mr. Madden

that object was sought to be attained and, therefore, might oscillate and vary according as the hope of improvement or the despair of improvement prevailed in his mind. But, above all, when hon. Members find that a measure passed for their country has produced great grievance throughout that country—even though they think the object of the measure a good one—by the inequality of its application, there is surely nothing inconsistent in their coming forward and asking that the measure should be made universal in its application, so that the grievance may be removed. I cannot pretend to approach this question from the point of view of a supporter of the Act of last year. I voted consistently against it for many reasons, and the strongest of all was because I had no hope that it would conduce to a peaceful settlement of the land question, and to the quiet and contentment of Ireland. What was the position in which the Act left the tenants? Whilst one tenant might be receiving the full benefit of the Act, his immediate neighbour might be denied all its advantages—a reduction of rent and the prospect of becoming the owner of his holding within a few years—and this not on account of any lapse or failure of his own, not on account of his being unfortunate in the lottery of applications under the Act, but more likely on account of his landlord's unwillingness to sell. That is the fact which creates an inequality which no reasonable man can expect to cause contentment among the agricultural population in Ireland. If we had regarded the Bill as a final settlement, we might have looked upon it in a more kindly way. But we have always been haunted, in regard to this question, by the dilemma, that either you must make any system of purchase of land universal and compulsory, and that involves a sum of money exceeding anything that the British people are prepared to risk; or else, if you make it partial, you take a step which would be fatal to contentment, and which does not create a permanent settlement. That was the main reason why I opposed the Bill of last year. I do not think I have had long to wait for a justification of my position, because to-night is made this most natural and reasonable proposal for the application of compulsion. The Resolution

is a reasonable and natural proposal from the point of view of the Irish Members. The hon. Member for South Tyrone, it is true, says it is an electioneering movement, but the speech of the hon. Member himself deserved far more the description of electioneering. The hon. Member is always intemperate on one side or the other—sometimes on the side of the tenant, sometimes on that of the landlord. To-night he was on the side of the landlord; but he had failed to make out a case against the proposal of the hon. Members below the Gangway on its merits, and, in fact, he admitted that the present condition of things under the Act of last year was not satisfactory. But the House must consider this matter not merely from the point of view of Ireland and the Irish tenant, but also from the point of view of the British taxpayer. I believe the British taxpayer and the people of this country have the fullest wish to do justice to the Irish community. An hon. Member below the Gangway said we were always very kind to them, except when called upon to give cash. That is not a taunt that can be levelled against us after the experience of the last half-dozen years. I do not believe that the people of this country would be at all disposed to grudge, or that they have grudged, anything which they believed to be necessary for the pacification and contentment of Ireland. But the further pledging of British credit not to the entire community, but for the sake of the individual tenant in Ireland, is a thing hardly to be contemplated with equanimity on the part of the British public. We endeavoured last year, in the discussion of this Bill, to secure that a large part of the advantage of employing British credit should go not to the individual but to the community. If that had been done it would have altered the case. But we should consider it necessary to think twice and even thrice before going forward with a sudden or precipitate extension of purchase by the use of British credit—an extension that might involve an almost illimitable use of British credit. I greatly doubt if public opinion is prepared for an immediate extension of the credit that was pledged last year. I admit that the present

condition of things is entirely unsatisfactory. I admit that the inequality pointed out is glaring and obvious. But at the same time I am unable to assent to a Resolution which simply affirms the rights of tenants, until I see my way to doing so without giving a further development to doubtful principles, and without imposing on the British taxpayer an indefinite and, it may be, unnecessary burden. There are difficulties of machinery and difficulties in the application of compulsion. These may be overcome. Let us hope they may be. There are, I believe, cases of landlords who have refused to sell their land to their tenants while willing to sell it to others; and such cases point to some power of compulsion as the cure of the grievance. But I think we are hardly in a position in the first year of the working of the Act to give to it this large development. I greatly doubt whether public opinion is prepared to sanction the extension of the large measure of last year which on its introduction was viewed with grave misgivings by a very large portion of the population. While admitting fully that the present condition of things is very unsatisfactory, and that the inequalities which have been pointed out are glaring and grievous, I am not able to support a Resolution such as that before the House.

Mr. JUSTIN MCCARTHY (London-derry): I have no fault to find with the right hon. Gentleman who has just sat down. I agree with his criticisms on the Bill of last year, but this Resolution of my hon. Friend represents a principle which the Irish people must and will maintain. We hold that its necessity will be proved more and more every day; it is being admitted every day that dual ownership of land in Ireland is a failure, and that some better principle must be maintained. We entirely agree with this Resolution, and are sure that we shall be able to convince the House of the justness of the Resolution. The right hon. Gentleman said the time has not yet arrived for the adoption of such a principle. Well, that may be so, but we have convinced Parliament of the necessity of many a principle for which, when we began to enforce it, the time did not seem to be ripe. I have no doubt we shall before very long, if this land question remains

to be solved in the Imperial Parliament, which it may not be; but if it is, we shall convince that Parliament that the principle of my hon. Friend is necessary and is indispensable to the peace, comfort and prosperity of Ireland. Therefore, if we have to wait—if no great Party in this House is willing to go so far as we are willing to go—we can afford to wait a little while with the certainty that before long the principle we are struggling for to-night will be carried to a successful issue.

MR. J. E. REDMOND (Waterford): This Debate, Sir, is one full of interest for Ireland, but I am sorry to think that the interest has been of a somewhat melancholy character. At first I had difficulty in ascertaining the motives of those who moved this Resolution, because they could not have had any hope of getting the Government to accept the principles contained in the Resolution. The Government have taken up all along such a position that that expectation would have been impossible. But even if accepted, the principle of the Resolution, it is evident, could not have been carried into effect during the present Session. The object of the hon. Member in moving the Resolution was one in which, I confess, I heartily concurred. He desired to elicit from those in a position to give effect to this principle what their views on the matter really are. I confess I feel grievously disappointed with the speech of the right hon. Gentleman the Member for the Stirling Burghs, because I failed to understand from him what policy he has—if, indeed, he has any policy at all—on this land question. The right hon. Gentleman says the settlement of purchase must be universal and compulsory or partial and unsatisfactory. He says the present condition of things is unsatisfactory, but he cannot approve of the Resolution before the House. But he fails to tell us whether he, or those whom he represents, have any policy on the land question at all. One thing is perfectly clear from the Debate that all sections of Nationalist Representatives are of opinion that the land question in Ireland cannot be satisfactorily settled unless the principle of compulsion is applied. We agree with that. The right hon. Gentleman is not in favour of the application of the principle of compulsion,

Mr. Justin McCarthy

and therefore he is not in a position to apply to the land question those principles that are satisfactory. Therefore he cannot be in a position to settle the land question concurrently with the question of Home Rule. In these circumstances, Mr. Speaker, surely we are entitled to ask the right hon. Gentlemen, is he prepared to hand over to us the settlement of the land question? That is all I have risen to say. Personally I have strong views in favour of compulsion if properly applied; but I do not desire to see any class of my countrymen driven out of Ireland.

MR. BARTON (Armagh, Mid) rose to continue the Debate.

MR. KILBRIDE rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

The CHAIRMAN OF WAYS AND MEANS, at the request of Mr. SPEAKER, took the Chair as DEPUTY SPEAKER, in pursuance of Standing Order No. 1.

Question put accordingly, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 86; Noes 177.—(Div. List, No. 60.)

Question proposed, "That those words be there added."

It being after Midnight the Debate stood adjourned.

Debate to be resumed to-morrow.

VESTRYMEN'S QUALIFICATION BILL.

On Motion of Mr. James Rowlands, Bill for the abolition of the Ratal Qualifications for members of Vestries, ordered to be brought in by Mr. James Rowlands, Sir. John Lubbock, Mr. Causton, Mr. Whitmore, Mr. Howell, and Mr. James Stuart.

Bill presented, and read first time. [Bill 243]

BUILDING LANDS RATING AND PURCHASE BILL.

On Motion of Mr. Cameron Corbett, Bill to provide for the Rating and Purchase by Local Authorities of lands suitable for building purposes in and near towns, ordered to be brought in by Mr. Cameron Corbett, Mr. Coghill, and Mr. Hugh Elliot.

Bill presented, and read first time. [Bill 244.]

House adjourned at twenty minutes after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 30th March, 1892.

Mr. SPEAKER was in his place at Twelve o'clock, but a quorum of Members was not present until twenty-five minutes after Twelve.

QUESTIONS.

APPLICATIONS UNDER THE LAND PURCHASE ACT, 1891.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will give the particulars, up to the latest practicable date, of the number of applications made to the Irish Land Commission under the Purchase Act of last year, showing the number of landlords and of tenants concerned, and the amounts applied for, sanctioned, and issued, and also showing the number of landlords and tenants, and the amounts concerned, in applications under Section 13 of the Act?

*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): I see no objection to giving this information in the form of a Return.

MR. SEXTON: But I should like to have the information now.

*MR. JACKSON: I am afraid I cannot give the hon. Member the information now. Of course, I must telegraph to Dublin for it.

MR. SEXTON: I shall take the first opportunity of showing the House how communications giving information on matters of public interest are privately made by Ministers for partisan use to Members who are confederates of the Government on this side of the House, while the information is withheld from other Members of this House.

*MR. JACKSON: I may be allowed to say that so far has it been the case that I have given information to those whom the hon. Member is pleased to call confederates; that I gave information, in answer to a written application, to the hon. Member for South Tyrone (Mr. T. W. Russell); and I should equally have given it to the hon. Member for West Belfast if he had asked for it.

VOL. III. [NEW (FOURTH) SERIES.]

MR. SEXTON: I have put down a question, and I have received no reply.

*MR. JACKSON: This question relates, as I understand, to the number of landlords and tenants and the amounts concerned in applications under a certain section of the Land Purchase Act. I can only give the information after applying to Dublin; and, as the question only appeared this morning, I am not able to give the information.

MR. SEXTON: The right hon. Gentleman can, perhaps, give me a reply to the earlier part of the question—the number of applications made, the amounts applied for, sanctioned, and issued?

*MR. JACKSON: I think I can answer the first part of the question. The information I am able to give is that up to 28th March there has been the total number of 1,253 applications, representing an amount of £444,612.

MR. SEXTON: And the amounts sanctioned and issued?

*MR. JACKSON: That information I am not now able to give.

MR. T. W. RUSSELL (Tyrone, S.): Perhaps I may be allowed to say, in reference to this matter, that I gave the right hon. Gentleman private notice of a question I proposed to ask him, and he informed me that he had not received the information to enable him to give me an answer at question time; but later on he received the information, and was good enough to communicate it to me.

ORDERS OF THE DAY.

PURCHASE OF LAND (IRELAND) ACT (1891) AMENDMENT BILL. (No. 30.)

SECOND READING.

Order for Second Reading read.

(12.35.) MR. ROCHE (Galway, E.): I think I need not occupy the time of the House with many arguments to prove conclusively that the Land Purchase Act of last year has been inoperative. I think I need only remind the House of the answer given by the right hon. Gentleman the Chief Secretary to the hon. Member for West Belfast (Mr. Sexton) a short time ago—that, although the Act is supposed to have been in operation for some eight months, not a single shilling has been issued to any tenant under the Act for the

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purchase of his holding. I believe the chief objection—in fact, I may say, the main cause—of the failure of the Act is due to the “Insurance” Clause, and it is to remove this objection the 1st clause of the Bill now before the House is directed. This Insurance Clause in the Act of last year was introduced for the protection of the tenant, not for the protection of the State, and our proposal in this Bill is that the tenant shall have permission to decide whether he will avail himself of the advantage of the Insurance Clause or not—and surely, I think, the Government can have no objection that the tenants, whose interest they profess themselves anxious to protect, should have an option of this kind. The 2nd, 3rd, and 4th clauses of the Bill apply, to a very great extent, to the evicted tenants. The 2nd clause proposes to extend the period for agreements, which was introduced into the Act at the instance of the hon. Member for South Tyrone (Mr. T. W. Russell). It proposes that the time shall be extended beyond the period of six months, and it proposes to meet those cases where landlord and tenant are anxious to come to an agreement, but may be unable to make an arrangement in reference to the price. In those cases we propose that the determination of the price may be referred to the Land Commission to bring about an amicable adjustment of the difficulties. The 3rd clause provides that a grant may be given by the Land Commission from the Irish Church Fund to evicted tenants to assist them in bringing their farms into fair cultivation. I believe I am right in saying that the hon. Member for South Tyrone has stated in this House that one of the main objections to the re-instatement of evicted tenants was the present condition of the holdings from which they have been evicted, and the passing of this clause will get rid of that objection. The 4th clause proposes that in certain cases the Land Commission may stay the sale of any holding; for instance, on such estates as that of Lord Clanricarde, from which a large number of tenants have been evicted, so that a tenant formerly in possession may have the opportunity of purchase if he desires it, and so that the perpetuation of a cause of discontent may be prevented. Clauses 5, 7, and 8 are,

Mr. Roche

to my mind, really more in the interest of the landlord than of the tenant, and I think if they are examined it will be shown clearly and conclusively that we have no mere class object in the Bill, but that our wish is that the Act of last year may harmoniously work. We provide for the removal of the restrictions on the exchange of Guaranteed Stock for Consols. I believe I am right in saying that the Chief Secretary stated in the House a short time ago that this was provided for in the Act of last year, and we really provide for that which the right hon. Gentleman thought had already been provided for, and which, therefore, cannot be very objectionable to him. Clause 7 is intended to cut down those absurd expenses which attach to the proving of title to an estate, and which in so many cases prevent sales to tenants. If a tenant is satisfied with a title from the Land Commission I fail to see what objection the Government can have to the passing of such a clause. Clause 8 proposes that in certain cases and under proper safeguards abatements shall be made in charges pending the completion of a sale. Clause 6 is one of the most important in the Bill, and it has reference solely to labourers. I think it will be admitted on both sides of the House that no body of men in Ireland are more worthy of the benefit the Act confers than the labourers of Ireland. I believe that under the Act £40,000 a year for five years is set apart for the purposes of a Reserve Fund, and £30,000 of that we propose shall be expended annually for the benefit of labourers in Ireland. I think, in view of the fact that the Act is working so slowly,—in fact I might say scarcely working at all—it is difficult to see what object or interest is served by piling up this amount of money for the next five years. Clause 9 provides that mortgagees shall have the power to sell to tenants as they can sell to other individuals. I need scarcely say that the only way in which such sales can now be effected is through the medium of a third person, and this encourages a class of speculators who buy from the mortgagees and then sell to the tenants at an enhanced price. We propose that the mortgagee shall have the same power of sale to a tenant as the landlord, that he may sell immediately without the interposition of the

speculator. In Clause 10 we deal with the speculative purchaser, and a short time since a case came within my knowledge which proves conclusively the necessity for legislation in this direction. A landlord had a small estate adjoining that of Lord Clanricarde, and a couple of years ago he offered the holdings at 13 years' purchase on the Government valuation. Unfortunately he had mortgaged it, and in consequence the Land Commission would not make the advances to the tenants. I regret this for the sake of the tenants, and for the sake of the example, though I do not know that the example would have had much effect on Lord Clanricarde, whose last offer of sale was 25 years' purchase. Such is the Bill we commend to Members on either side who desire to see the Act, passed last year at the expense of so much time and trouble, made a working measure to carry out the purpose for which it was intended. Speaking for myself, I confess I do not think the Act can have full effect, and cannot do justice to the large body of the tenants in Ireland until this or a future House of Commons passes a measure which shall compel such men as Lord Clanricarde to sell to his tenants, or, at all events, offer such terms as will enable them to live on their holdings in some comfort and respectability, instead of being slaves of the soil, as, to a great extent, they now are. I will not trespass further on the time of the House. I shall be followed by Members of our Party more capable of dealing with the question than I am, and who will explain this measure more clearly and fully than I have. I commend the Bill to the acceptance of the House as an effort to do justice to the tenants, while it inflicts no injustice on the landlords.

(12.53.) MR. FLYNN (Cork, N.): I beg to second the Motion for Second Reading. My hon. Friend has explained the provisions of the Bill at no great length, but in such a manner that the object of the measure must be clear to every hon. Member. As to the 1st clause, I find that the hon. Member for South Londonderry (Mr. Lea), who has given notice of an Amendment to the Motion for Second Reading, seems to agree with that clause. He expresses a willingness to re-consider the Insurance Clause and other clauses. When the Purchase Act was under discussion last

year the Government were warned that this Insurance Clause would go far to make the Bill inoperative. To-day we have had from the Chief Secretary the information that 1,200 odd applications have been made under the Act up to the present, and that these applications cover a sum of £400,000 odd; but the right hon. Gentleman was not able to tell us, or he has not told us, what amount of money has been sanctioned for advances to tenant purchasers. On that point I think we have reason to complain that official information should be furnished to one Member of the House and denied to other Members. The Chief Secretary has explained that he gave the information in response to a written application, and equally he would have given it in reply to an application from my hon. Friend the Member for West Belfast. But we prefer to communicate with Ministers across the floor of this House.

MR. JACKSON: The hon. Member for South Tyrone has already explained that notice of a question was given to me in the hope that I should have been able to give him the information across the floor of the House. The information did not reach me until after Question time, and then I forwarded it on to the hon. Member.

MR. FLYNN: All I say is that the answer was not given in the usual Parliamentary manner, across the floor of this House, and in the hearing of the House. However, we shall soon know what we are not now in a position to know, whether the Land Purchase Act has become operative or not. It is perfectly useless, for all practical purposes, to say that 1,200 applications have been made until we know how many of these have been sanctioned. The Government were warned from these Benches that the Insurance Clause would operate against the Act, and up to the present the Government do not find themselves able to traverse the assertions we then made. Speaking from knowledge of transactions within my own constituency, I know that the Purchase Act of 1891 has not been availed of in consequence of this Insurance Clause, because, practically, for the first five years after purchase the tenant receives no alleviation at all; he is subject to the same charges, but what he wants is present relief owing to the increasing competition of foreign

countries. A certain number of tenants in my constituency informed me that their landlord's solicitor had made overtures to them for the sale of their holdings to them at a certain number of years' purchase—16 or 18 years. The offer was fair enough. I worked out the figures for these tenants, showing how the future payments would compare with the present rent, and it was found that in the first five years, adding the liabilities for county cess and poor rate, there was little or no difference—such a small difference that the tenants preferred to remain as they were, and not to incur the additional responsibility. This Insurance Clause undoubtedly operates as a deterrent to purchase, and so far I think we ought to have the support of the hon. Member for South Londonderry. I will give you a case within my own experience of two farms rented at £40. Application was made in one case to the Fair Rent Commission, composed of men more or less impartial and not disposed unduly to favour the landlord. In that case the old rent was reduced to £25, but in the other case, which was considered by the Walpole Commission, the old rent of £40 was only reduced to £35. Those judicial rents are not regarded as a sacred thing in Ireland. The tenants do not regard them as fair or as binding, and in one way or another in large parts of the country landlords are obliged to reduce. We were told on the highest authority in connection with the Government that to reduce the judicial rents would be almost a breach of contract, would be something iniquitous and unheard of. But the reply to that is that the following year the Government were obliged to bring in a measure to reduce these judicial rents, and they were reduced in the poorer parts of the country. A large portion of the tenants of the country felt themselves in a safer position by bringing pressure so as to reduce the judicial rents rather than by purchasing under this Bill with the Insurance Clause. As to the Bill now under consideration of the House; Clauses 2, 3, and 4 refer to tenants formerly in possession. The position of those tenants is one of very great urgency. It is a position that largely affects or is likely to affect, the cause of peace and order in Ireland, and upon that ground, for the sake of the tenants, for the sake of the landlords, for the sake of peace and prosperity; we

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press upon the House that they should accept these provisions of the Bill. The 2nd clause is simply an Amendment of the provisions relating to tenants formerly in possession; in other words it extends Section 13 of the Act of last year up to the 1st January, 1894. I believe the Government are in favour of that principle, at any rate they have expressed their willingness to extend the term from six months after the passing of the Act of 1891 up to the 1st January, 1894. I regret that up to the present that Act has been practically a dead letter in Ireland. Whether we regard the tenants on the Plan of Campaign estates, or the still larger numbers who were evicted years earlier, owing to the great fall in prices, and causes over which they had no control, those tenants were looking for relief under that Section, and they have failed to obtain it except to a very small extent indeed. Upon a former occasion, when the Bill of the hon. Member for Roscommon was before the House, the Cork Evicted Tenants' Association collected statistics in regard to the Province of Munster, and I regret to inform the House that, although that Association is a very numerous body, composed of evicted tenants—and not one of them belonged to the Plan of Campaign estates—as far as I can learn, not one single landlord has been willing to permit the tenants to avail themselves of Section 13 of last year's Act. This Association approached the landlords in the most mild and conciliatory spirit, asking them to set up an Arbitration Board, before whom there might be an opportunity of consulting the landlord and the tenant and arrange a fair price, and thus bring about a mutual arrangement between landlord and tenant. These tenants were not the naughty Plan of Campaign tenants, they were tenants evicted either for poverty or for causes over which they had no control, at a time when the Legislature afforded no relief to the tenant of Ireland. As far as that portion of Ireland goes, the disposition of the landlords has been of such an unsatisfactory character that they have refused in every case to approach the tenants and Section 13 is an absolutely dead letter. The extension of the period to January, 1894, will give the landlords time to think and reflect whether they should not pursue a different course of action. The

proposal is to place the tenants in the position of negotiating with them, and I therefore hope to hear from the Government that they are prepared to extend the time to January, 1894. Sections 3 and 4 also deal with tenants who have been formerly in possession. The Government must be in possession of this fact that if the landlords who have evicted tenants, such as Lord Clanricarde and scores of others, make application to the Land Commission, and sell their tenancies to men who were not formerly tenants in possession, you will have a scene of disorder in that part of the country which it will take the whole British Army to quell. It was hoped the Land Acts of 1881-85 and 1887 were to give us peace and order in Ireland; but, if that takes place in Ireland which I have just mentioned, the last state of things will be far worse than the first on these estates, unless you can, by an Act of the Legislature check such a man as Lord Clanricarde from dealing in what would be large bogus operations. One of the members of this party has some correspondence on this subject, which can be produced when opportunity offers, and the outcome of the entire controversy between the hon. Member for South Tyrone and one of the Directors of the *Freeman's Journal*, was to show that the hon. Member's claim was without foundation, that the majority of the so-called tenants were planters and emergency men who had no *bona fide* intention of tilling the land. These so-called *bona fide* tenants of Lord Massereene are hungry for purchase under the Act, and have sent letters to his former tenants saying they will re-sell.

MR. T. W. RUSSELL: To what correspondence does the hon. Member refer?

MR. FLYNN: I say there are members of this party who at the present moment have plenty of correspondence in their possession with regard to cases of that kind.

MR. T. W. RUSSELL: The hon. Member has alluded to a controversy in the *Freeman's Journal*.

MR. FLYNN: There was a controversy.

MR. T. W. RUSSELL: I took no part in it.

MR. FLYNN: Did not the hon. Member write to the *Times* and other papers making certain statements with

regard to those planters, and how prosperous they were, and did not they send a Commissioner to investigate the case, the result of whose investigations was to prove that those so-called tenants were mere planters?

MR. T. W. RUSSELL: I understood the hon. Member to say that I had a correspondence with a director of the *Freeman's Journal* about these tenants.

MR. FLYNN: The hon. Member has misunderstood me; I know he has no desire to misconstrue what I say. I referred to the controversy about alleged tenants, and then, with regard to the correspondence, I say there are members of this Party who have at the present moment correspondence which they can produce in due time, which will prove to a demonstration that a certain number of these planters are anxious to avail themselves of the Land Purchase Act in order to subsequently clear out of the place and sell once again. Why not do this in a proper way instead of by bogus transactions of that kind. Instead of allowing those so-called tenants to go off with a certain amount of swag, why not insist that all transactions shall be *bona fide*, and that the Land Purchase Commissioners shall not sanction any purchase which has not been made by *bona fide* tenants. With regard to Clauses 5, 7, and 8, they are drawn largely to the advantage of the landlords, for, in the first place, they guarantee the land and stock shall be exchanged for Consolidated annuities, and I believe the landlords have expressed a preference for that. I hope those who represent them will see their way to take advantage of those clauses of the Act. Clause 7 deals with proving titles to estates. That is a matter in which the landlords are greatly concerned at the present moment, for there is great difficulty just now in regard to proving titles. I could give two cases in the neighbourhood of Cork in which applications were made to the Land Purchase Commission for sale. The landlord and tenant agreed as to the price, the Land Purchase Commission sanctioned the security as an admirable security, and though the landlord had been receiving rent from the tenants all along, still there was some defect or flaw in the title, and the landlord and tenant were not able to carry out the sale. Any arrangement in the direction of simplifying the proof of title ought to meet

with the approval of the House generally. Clause 9 is one of the most important in the Bill, whether with a view to cases of ordinary titles or cases of estates in the Landed Estates Court. And there ought to be no opposition to it from any side of the House. There is no question that at the present moment a large number of the landlords of Ireland are merely owners in name. A deadlock has been created owing to the action of the mortgagees or perhaps owing to the action of the landlords, and you have practically a deadlock in thousands of estates in Ireland. The last Return of the Landed Estates Court showed that there were 2,258 properties under the control of the Land Court, representing one-fifth of the rents of Ireland. But that is not a desirable condition of things, it is bad for the tenants and the landlords as well, and it must be disastrous for the mortgagees. It works evil all round, and, I fail to see why the Government should sanction a system by which this immense amount of property is kept practically locked up, by which the tenants are in a dreadful state of uncertainty, under which Receivers are appointed whose power of dealing with the question of fair rent is so far restricted that you have constant cases of contempt of Court, and one thing and another occurring in Dublin. I say the power of compulsion should be introduced, and, where the landlord is hopelessly encumbered some way out of this deadlock should be found. I learn that an Insurance Company, the Scottish Equitable Life Assurance Company, is mortgagee of a certain estate, and the date of filing the petition was three years ago. That estate has never been offered for sale. The number of tenants is 558, and there is no landlord who can be interested in them, because, in a case like this, a corporation or company has no body to be kicked or soul to be damned. If this Company and companies like it had power to sell, I believe a large number of them would prefer to realise their money rather than carry on as they at present are doing, with interest running up and very little hope of receiving the principal until they are able to sell their estates. Another important clause in the Bill is that with reference to the contribution for labourers' cottages, and anything which

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tends to improve the position of those labourers should be cordially welcomed by the House. As to the purchase insurance claims, this matter, at any rate, ought to be optional with the tenant, for the guarantee fund and other funds provide ample security for the State. We hope the Government will consent to the Second Reading of this Bill. It is a Bill which is desired by the tenants and will improve their condition. It will not injure; but, on the contrary, serve the landlords and tend to produce peace and order in Ireland.

Motion made, and Question proposed,
 "That the Bill be now read a second time."
 —(*Mr. Roche.*)

*(1.20.) *MR. LEA* (Londonderry, S.): The hon. Gentleman who moved this Bill says it is an unimportant measure, and the hon. Member who seconded or supported it used these words—

"that they are not yet in a position to know if the Land Purchase Bill is inoperative."

Yet those hon. Gentlemen in their Party arrangements when they brought in their Bills at the commencement of the Session have actually put it in front of the Compulsory Purchase Bill which they could not get into a sufficiently good place, and which they withdrew in favour of the Resolution last night. It seems to me, if they were in earnest in dealing with the question of land purchase in Ireland they would have had their Compulsory Purchase Bill instead of this small measure which the hon. Gentleman who introduced it described as an unimportant measure. Why do they attempt to bring it in with such evident lukewarmness? I listened to the Debate last night in the hope of hearing the hon. Members for Mayo, Longford, or Belfast, or some of those hon. Gentlemen who are recognised as leaders, and who take a very active and earnest part in land legislation, give their views on the subject. But not one of them said a word in favour of the Bill, and very few of them sat in the House at all. The hon. Member for West Belfast is, I think, the best attender in this House. He listens more than almost any other Member, he speaks well, and I have never known him absent from a Debate on Irish affairs as he was last night.

MR. SEXTON: I was present in this House during the greater part of the

Debate. There was no opportunity for speaking. The chairman of the Party was only able to get five minutes.

*MR. LEA: I carefully watched the hon. Member in the hope that he would give us a speech last night, and was greatly disappointed that he did not do so. It seems to me that this is a very early date at which to amend an Act which can hardly have been in operation for three months. The hon. Gentleman who moved the Bill did not seem to know the circumstances of the case. Last night it was pointed out that there were 1,253 applications already under the existing Bill. Practically that Bill has not been in operation for three months, and it does seem to me that a case has not been made out for the Second Reading of the Bill to-day. There is no doubt the pith of the Bill lies in the 2nd and 3rd clauses. That is my chief objection to it. I admit that with regard to the Insurance Fund if the Bill had simply that one clause I would give it hearty support, and during the Debate of last year I said I believed this clause with reference to insurance would tend to restrict land purchase. But that has not been proved to have been so. But as I believed it would be so, then I opposed it; but I am now prepared to accept an Amendment on that clause. Farming is not a very paying game at the present time, and the Irish tenant has hard work to make both ends meet either for paying rent or for paying instalments under the Land Bill. Under such circumstances it was a misfortune and a mistake to make him pay for the first five years a good deal more than he would pay hereafter, for the purpose of creating an Insurance Fund which was quite unnecessary and unneeded. It seems to me a most absurd thing that you should create an Insurance Fund that would make the tenant pay 10, 15, or 20 per cent. more than his instalment would be for the sake of creating an Insurance Fund when he has already property in the soil equal to that of the landlord. If it were only that, I should be willing to support the Second Reading of the Bill; but the pith of it lies in the clauses with regard to evicted tenants. And it would have been more correct if this Bill had been called a Dillon and O'Brien relief Bill, because those hon. Gentlemen have got into a good deal of trouble with regard to evicted tenants. I admit that I would like to see the

trouble and difficulty got over simply for the sake of peace in Ireland, and if it only needs an extension of time for the clause of my hon. Friend behind me to be brought into fuller operation I should be content to wait. Hon. Members want to place these evicted tenants in a better position than the honest tenants, and I cannot understand them persistently bringing this question repeatedly before the House, unless they know that the trouble is extreme and that they must get out of it some way or other. They speak of the present tenants as "bogus tenants," and desire to turn them out for the purpose of replacing the evicted tenants, and the Bill proposes advances for that purpose. I think if the Government had seen their way in the Bill of last year to give small loans for the improvement of holdings it would have been a good thing and could have been done at small risk. But those loans should be given to the ordinary tenants and not specially to the evicted tenants who have gone out or been turned out when able to pay. I have the strongest objection to the proposal to take £100,000 or whatever may be required from the Irish Church surplus, which was made by the glebe land purchasers on the disestablishment of the Irish Church. The purchasers of the glebe lands had to pay 25, 26, and 27 years' purchase, and were only advanced three-fourths of the purchase-money—not the whole as in the case of the present tenants—and had to borrow the other fourth from usurers at very high rates of interest. They purchased, too, on the high rents then existing; no fair rents having been fixed by a Land Commission. These people honestly paid their instalments and created the surplus, and it is proposed to appropriate that money for the benefit of tenants who will not have to pay half the amount for their holdings. If ever there was a case of using honesty to relieve dishonesty it is here, and I shall oppose the clause to the best of my ability on behalf of the glebe tenant purchasers of Ireland. This is a disappointing Bill. I expected this would be a comprehensive measure, which would include a clause to induce the landlords to sell. When, last year, we proposed Amendments to the Land Bill which tended to benefit the landlord, we were called landlord's representatives; but I held then, as I hold now, that while we have a

voluntary system of purchase, we must give the landlord every possible inducement to sell. If the clause proposing that the Guarantee Fund should be exchanged for Consols could be adopted most of the unwillingness of the landlord to sell would be got rid of. There seems to be some misapprehension as to this Stock. It is Two and three-quarter Stock which the Government gives, and it ought to be worth the same in Consols, and it is simply a question of changing one Stock for another. If we could hold out the inducement to the landlords that they could have £100 in cash or value in Consols for what they have to sell it would have been better than this proposal in the Bill.

MR. SEXTON: It would be out of order.

*MR. LEA: I have never known any form of the House prevent hon. Members proposing what they desire. Last year there was a limitation with regard to the amount for counties, and I expected that this Bill would deal with the question. If you are to deal with that question as hon. Members desire, you must have free purchase, no limitation as to counties, and no limitation of £25 or £50, so that whole estates can be bought. The hon. Member referred to the cases in Court. I think a little management would have brought about a settlement between landlord and tenant, and nothing would have been of more use for that purpose than the Arbitration clause of the Bill of 1890, which was omitted in the Act of last year. We asked the Government to accept that clause, and if we had been supported by hon. Members below the Gangway, I believe the Government would have accepted it. This Bill deals chiefly with the evicted tenants, and therefore I am not prepared to support it. I am prepared to support the Amendment of the Land Act if improvement is wanted to make it work. It is not working so fast as I could wish, but it is working faster than the Ashbourne Act when it first came into operation. Hon. Members say that the sale of the Ponsonby estate accounts for a large portion of the applications under the Act. One of the earliest applications under the Ashbourne Act was in reference to the Marquess of Bath's property in Monaghan, involving 700 applications, beside which the 109 applications for the Ponsonby estate sink into insignificance. If hon. Members would use their influ-

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ence to promote the settlement of the land question they would do more for the peace of Ireland than by any proposal for self-government or any similar proposal they choose to adopt. I wish hon. Members would treat the land question seriously and earnestly, instead of bringing forward Bills which they say are not important. It seems to me that they are not serious when they oppose the various Land Purchase Acts of 1888, 1890, and 1891, and, in the face of a General Election propose a Bill which the introducer says is not important.

MR. ROCHE: I have not said that the Bill is not an important one at all. I said that I regretted that the Bill did not go further, and that there was not some compulsory clause in it.

*MR. LEA: The hon. Gentleman used the words "not important," as I took them down at the time, but I am willing to accept his definition of what he intended to say. But if they think this Bill is not important, and the Seconder says that he is not in a position to argue that the Land Purchase Act is inoperative—

MR. FLYNN: I said the Government did not put the House in a position to say whether the Bill was operative, and were not in a position to say themselves.

*MR. LEA: If that is the way hon. Gentlemen introduce and second Bills of this kind, it is not treating the question so seriously as it deserves. It is too early to consider any Amendment of the Land Purchase Bill, but if they bring forward any Bill which it can be proved would be beneficial, and make the Act more operative and work better, I shall be happy to support it. I do not think this is such a Bill, and therefore I beg to move the Amendment which stands in my name.

*(145.) MR. BARTON (Armagh, Mid.): I beg to second the Amendment of my hon. Friend. The discussion to-day differs from that of last night; it is a real discussion, while that of last night was a sham discussion. This Bill differs from that of 2nd March in a rather curious way, which has not been explained. That Bill dealt candidly with the evicted tenants, and put their case simply before the House. This is an *omnium gatherum* Bill, which collects all the Amendments to the Land Bill that

have been from time to time suggested from different quarters, and couples them with the case of the evicted tenants. This is, I think, a course injurious both to the Land Act and to the evicted tenants. If there are Members on this side who would like to see the Act amended, they are prevented from voting for the Bill because it is identified with the evicted tenants; and I think the evicted tenants would prefer to have their case put simply and candidly as by the Bill of the 2nd March. The 1st Clause of the Bill deals with the Insurance Fund. If I had been in Parliament last year I would have opposed the introduction of that Fund, as it is my desire that all Land Purchase Acts should be facilitated, and not rendered difficult of operation. However, my opinion on that question expressed in the Debate on the Address has been modified, for I find that hon. Members opposite have misrepresented the meaning, object, and effect of the Insurance Fund, and I cannot identify myself with that misrepresentation. The hon. Member for East Mayo (Mr. Dillon) described it as a Fund for giving two years' arrears to the landlord; I cannot accept that. Another hon. and learned Member described it as an Insurance Fund, not for the relief of the tenants, but of some spendthrift, useless or drunken man at the other end of the county. The only person who has anything to do with the Fund is the owner for the time being of the holding concerned. The object of the Fund is a good one—to provide a Fund in case of arrears due to distress or agricultural depression. And if it be not required to meet those cases it will be available to reduce the annual payments, so that the tenant would, after some years, have to pay less than he would even under the Ashbourne Act. While I object to anything which clogs the Act I cannot vote with hon. Members who attack the Fund on grounds which I cannot think other than misrepresentation. Another reason for the modification of my original view is that the Act is working better than we were led to believe was the case. I am also influenced by the rapid demoralisation on the Front Bench opposite. When we find Ministers, who, if they come into power at the next Election, will be responsible for the administration of the law, and in a position to introduce new legislation, voting on the 2nd March to indemnify the tenants

evicted under the Plan of Campaign, and pursuing a policy which can only lead to a general repudiation by the tenants of their obligations, I am less inclined than I was to disturb any guarantee. Clause 5 seems an excellent clause in itself, and I wish hon. Members had given me an opportunity of voting for it. Clauses 6, 7, and 8 also seem good clauses, if they are practicable. Clause 9 I object to. This clause shows the desire of some hon. Members to confine the operation of the Purchase Acts to unburdening the Landed Estates Courts and selling the inferior estates in Ireland. That is not what the tenant farmers and others in Ulster desire; they desire the Act to work on the best estates, between the best landlords and the best tenants. This clause would favour inferior estates, and I shall oppose it in the interests of both landlords and tenants in Ulster. I come now to the clauses which I regard as the real heart of the Bill—Clauses 2, 3, and 4. In Ireland this Bill is regarded merely as an evicted tenants' relief Bill, and as a bid higher than that in the Bill of 2nd March. That Bill proposed that rights of reinstatement and compulsory sale should be given to the evicted tenants, and this Bill offers a bid over that of £100,000 from the Church Surplus Fund. I admit that these tenants have claims on some persons and some funds, but the persons are not the representatives of British taxpayers in this House, and the funds are not public funds belonging to any part of the Empire. The persons on whom they have a claim are those who said, "The tenants left their homes on our advice." The evicted tenants also have strong claims on hon. and right hon. Gentlemen on the opposite side of the House; claims which become evident in the light of the statement of the hon. Member for Waterford (Mr. J. Redmond), that the Plan of Campaign was not an agrarian but a political agitation.

MR. J. E. REDMOND (Waterford): That is a misrepresentation, no doubt unintentional. I said with reference to the origin and inauguration of the Plan of Campaign that I could not speak, as I had no share in its origin. What I said was that in any part I took in that Plan, I regarded it primarily as an agrarian movement, and also as a political movement and as an engine for discrediting the Government of the day.

*Mr. BARTON: I accept the hon. Gentleman's explanation, and his statement, as he has now explained it, is quite sufficient for my purpose. I say these tenants have claims on hon. and right hon. Gentlemen opposite, if it was a political agitation with the object of putting right hon. Gentlemen opposite in office. Any subscription list for evicted tenants might appropriately be headed by the names of right hon. Gentlemen who usually sit on the Front Opposition Bench, but who are conspicuous by their absence to-day. Hon. Members opposite have often declared that these tenants would be supported and maintained by the Irish nation and the Irish National Party. I say that after using words like these—we may call them brave words—they have no right to come and ask Parliament to sanction this application of public money to the use of persons whose only claim is that they have openly violated the law. But we hear that there are funds both in Ireland and Paris for the benefit of these evicted tenants. The Irish National Fund was subscribed partly for the evicted tenants and partly for electioneering and party purposes. I submit that if this money which is asked for is subscribed by Parliament you will be practically subscribing to an election fund for hon. Members opposite—not indeed for the Irish Party, but for one part of the Irish Party. You would not only be subscribing to that fund for election purposes against the Unionist Party; but also against the other section of the Nationalist Party, for it would be used against them just as much as against us, and I protest against any public money being granted for the use of a political Party or a part of a political Party. I should like to call the attention of hon. Members opposite to the report of a meeting of the Evicted Tenants' Association in Cork on the 19th March. This is an important Association, which has been in communication with Ministers and with the Leaders of the Opposition, and is the only Association in Ireland which has not declared itself on either side. The proceedings of that Association, and the statements made at that meeting, afford strong confirmation of what I said. I have no curiosity as to the manner in which this fund has been employed; but when

hon. Members come to this House and ask for £100,000 we are entitled to say to them—How can you ask this House for money which is either to swell the fund which you have, or to enable you to devote that fund to purposes to which this House could never consent that public money should be devoted? I am entitled also to comment upon the fact that this Bill, taken in connection with the Bill of 2nd March, shows a complete change of front. Speaking on the former Bill, the right hon. Member for the Bridgeton Division (Sir G. Trevelyan) argued that it was the duty of the Opposition to do what Liberals had often done before to make compulsory in one year a measure which had passed as a voluntary measure the year before. I ask the House to contrast that with what occurred last night. When a measure affects the whole body of the tenants of Ireland they refuse to make it compulsory, but when it affects the evicted tenants who have broken the law, the measure must be made compulsory. Furthermore, we have it on the authority of the late Mr. Parnell that the policy announced from the Front Opposition Bench on 2nd March by the right hon. Member for the Bridgeton Division (Sir G. Trevelyan) has not always been the policy of the Liberal Party, and that they have made a complete change of front. I should like to know from the Front Opposition Bench when they come in—for, though that Bench is absolutely empty now, I cannot think that right hon. Gentlemen will desert their allies—what they have to say about this matter? When the right hon. Member for Newcastle (Mr. J. Morley) was asked by Mr. Parnell what was to become of the evicted tenants he made, we are told, a gesture of despair, and could offer no hope of direct relief. How can that be reconciled with the attitude of the right hon. Member for the Bridgeton Division on the 2nd March, and what is the meaning of this sudden change of front? Whatever the explanation may be, what has been the result of the promises made from the Front Opposition Bench on the 2nd March? The result has been disastrous, and has had a most evil effect in Ireland. It has given new life to the Plan of Campaign. The Front Opposition Bench have virtually encouraged agitation, for

when the fire was going out they added fresh fuel. It did not suit them, on the eve of a General Election, that the one black spot in Ireland should be removed by means of a mutual agreement between landlord and tenant. But what is the attitude of the Front Opposition Bench, and how do they reconcile their absence now with previous pledges? Have his colleagues told the right hon. Member for the Bridgeton Division that he went too far? Have they heard the cry of exultation when it was declared by the Irish Press that the great Liberal Party had bent the knee to the Irish Members below the Gangway? Have they repented? I think it is very likely and very probable the right hon. Member for the Bridgeton Division had a very disagreeable quarter of an hour with the right hon. Member for Derby when they talked over the subject afterwards. Cool as was the proposal of the 2nd March, I think this is cooler still. For what purpose was the Irish Church Surplus originally intended to be used? The right hon. Member for Midlothian, in his speech on the Irish Church Bill, declared that the surplus was to be devoted to the relief of unavoidable calamity and suffering which was not provided for by the Poor Law. The late Mr. John Bright uttered eloquent words with a similar meaning, but what is the case of the evicted tenants for whom this money is asked? Do they suffer from an unavoidable calamity? Have they in any way shown themselves deserving of any help? They are the victims not of misfortune but of miscalculation. The evictions were a matter of deliberate calculation, and the tenants left their farms in obedience to advice that it was to their interest to get out of their holdings. They have found out their mistake. I believe it would be a gross misappropriation of that fund if any portion of it were given to these people who have defied both the laws of the land and the laws of their Church, and I appeal to the Government and to hon. Members who occupy an independent position not to sanction a proposal to devote a large sum of money, which was subscribed for a noble purpose, to what would practically be the endowment of a sordid conspiracy.

(234.) Mr. KNOX (Cavan, W.). We have had, during the course of this Debate, some interesting lectures on Parliamentary tactics from the hon. Member for South Derry and the hon. Member for Mid Armagh. As a young Member of the Irish Parliamentary Party, I think that the methods pursued by the Irish Parliamentary Party in this House, and out of this House, have been instrumental in getting more benefits for the tenants of Ireland in the past ten years than the methods which have been pursued by the hon. Member for South Derry would be likely to attain in two centuries. The hon. Member for South Derry tells us that we should have put our Compulsory Sale Bill first, as the Compulsory Sale Bill was the more important Bill. Well, we know that in all probability, having regard to the state of business, it would be impossible to get an opportunity for discussing any one Bill dealing with the Land Question at any considerable length, and we thought it better, under these circumstances, to put a Bill which there was a chance of carrying, in the best position. The hon. Member for South Derry admits, I suppose, after the Division of last night, that compulsory sale is not likely to pass in this present Parliament. It is, no doubt, a somewhat sweeping proposal. I do not desire to minimise its importance. It is a proposal which will in time be carried into law, whether by an English Parliament or by an Irish Parliament; but it is a proposal which it is impossible to expect to be carried into law by a Tory Parliament, and therefore we considered it hopeless to put a measure for compulsory sale in the first place. Last night we were told our Motion was an electioneering Motion. I do not complain of the imputation for one moment; it was an electioneering Motion. It was brought forward for the purpose of ventilating an important question, which will be the most important question in many elections in Ulster, to enable the tenantry in Ulster to see what are the views of their Representatives on that question, and to give them an opportunity of sending to the next Parliament men who will represent their views better than the men who represent them to-day. I think it served its purpose. Though

compulsory sale may be an impracticable proposal in a Parliament constituted as this Parliament is, after the General Election, when the constituencies of Ulster have an opportunity of speaking, I venture to think that it will be found that there is such an almost unanimous expression of opinion in one direction that in the next Parliament it will not be as hopeless as it is in this. But this Bill was drawn up having regard to the conditions in this present Parliament; moderate in all its provisions and not too sweeping in its scope—essentially an amending Bill to remove imperfections in the Act of last Session which the Government might admit without in any way abandoning their main contentions during last Session. And, within these limits, I hope the Government, in spite of the speeches which have been made against this Bill, will give it a careful consideration; and if there be in this Bill any provisions which they are in favour of, I hope they will not refrain from allowing it to pass a Second Reading, even if there are a few other provisions which, in Committee, they would not accept. I venture to think that the Bill is drawn in such a moderate spirit that the Government can, without any lack of self-respect, accept it. Why, the *Times* newspaper even has admitted that the Land Purchase Act requires amendment in some particulars, and it is no insult to the right hon. Gentleman and the others who acted with him in pushing the Land Purchase Act through last Session to say that it requires amendment. We do not repeal the provisions relating to the Purchasers' Insurance Fund, but the Purchasers' Insurance Fund was considered not a guarantee for the British taxpayer, not a guarantee even for the county, but a guarantee for the purchaser individually; and if the purchaser, being a wise and prudent man, thinks that he can do better by putting his money into his farm, by increasing his stock, by improving his land, I venture to think the purchaser ought to be allowed to do so. The Irish tenant farmer is sometimes pointed to as an example of thriftlessness. He is not always a thriftless man. The vast majority of them are the very hardest-working men in the three Kingdoms, and they are always proud to put their labour and what money they can

scrape together into their holdings, and the real security of the British taxpayer is the work and the money which a tenant has put into his holding. Of course, that applies especially to Ulster; but it does not apply only to Ulster—it applies in a large measure to all Ireland; and money invested in the holding would be more advantageous to the Government and to the tenant than money hoarded up in the Purchasers' Insurance Fund. At any rate, let the tenant judge; he ought to be the best judge. You do not direct by Bill how the tenant is to stock or farm his holding, and I venture to think if you leave him this discretion, you ought to leave him a discretion as to the particular form of saving he is to adopt. However that may be, there can be no doubt as to the opinion of the tenants throughout Ireland. There can be no doubt that a very large number of sales are hampered by the provisions relating to the Insurance Fund. We do not try, at any rate, to misrepresent the purpose of the Purchasers' Insurance Fund, and I venture to think the statements attributed to my hon. Friends on the subject were not made by them, or were made by them by an oversight. The tenants of Ireland know perfectly well what is meant by the provisions of the Purchasers' Insurance Fund, and they know it prevents these sales. There are other parts in favour rather of the landlord than the tenant. The fifth clause provides that the guaranteed Land Stock should be exchanged for Consols under all circumstance. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant stated, no doubt by an oversight, on the Address moved by the hon. Member for West Belfast, that this was so already. As a matter of fact it is not so. It is only under limits prescribed by the National Debt Commissioners that this exchange is to be made, and that limitation is one which decreases the value of the stock. I am told many people have considered that limitation is a dangerous one; and the right hon. Gentleman actually did not know the limitation existed.

MR. JACKSON: I beg the hon. Gentleman's pardon; I pointed out the section of the Act which provides for the limitation.

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MR. KNOX: Yes; but my recollection is that though the right hon. Gentleman pointed out the section, he did not quote it, but stated that the effect of it was to make these securities exchangeable on demand by the holder. Of course, if the right hon. Gentleman did not say so I would beg to apologise; but I may remark that in saying it I am only following a leading article in the *Times* the day after, which corrected the right hon. Gentleman's statement. According to a well-known legal principle a statement in the *Times* would not be evidence against us, as it is hostile to us; but as it is the organ of the right hon. Gentleman it would be taken as evidence against his Party. However, the provision which we propose is not one very difficult to carry out. Section 7 is, I believe, a section which would enormously facilitate sales. I do not wish to condemn the Land Commission in this matter; but the right hon. and learned Gentleman the Attorney General for Ireland knows that the procedure of the Land Commission in the matter of proof of title is not as satisfactory as it might be. The fact is that one of the Land Commissioners, having been trained in the Landed Estates Court, has to a large extent transferred the procedure of the Landed Estates Court to the Land Commission Court, and that procedure, it is well known, is not by any means very simple or intelligible. The most vexatious delay and extra costs are caused by the present system of requiring proof of title. Why should the Landed Estates Court or the Land Commission Court demand a longer title to be shown by a vendor in that Court than any ordinary purchaser has a right to demand elsewhere? I remember the hon. and gallant Member for North Down saying that he would not sell to a tenant unless he came to him with two years' rent at least in his pocket.

COLONEL WARING (Down, N.): That was when the limit was supposed to be 20 years' purchase.

MR. KNOX: I do not know whether the hon. and gallant Gentleman expects to get 20 years' purchase now; I hope he may. At present the delays in the Land Commission Court, owing to the long title required to be proved, are such that for two years the landlord is likely to get nothing, but is likely to have ex-

penses out of pocket. That being so, I do not quarrel with the hon. and gallant Gentleman; I only quote his opinion as a practical man anxious to protect his own interest. If that be so, is it not necessary to cut down these proofs of title to some extent? No ordinary sale in England takes two years to complete, and I fail to see why it should take so long in Ireland. Then Section 8 also provides under certain strict conditions, with the permission of the Land Commission Court, to allow certain charges on an estate to abate during the process of sale. Sections 9 and 10 propose to give to tenants on mortgaged and encumbered estates a chance of buying their holdings on as good terms as any outside purchaser could buy them at. The hon. Member for Mid Armagh quoted another opinion upon this clause; and he seemed to think that by it we intended to do some injustice to the North of Ireland. There are nearly as many encumbered estates in Ulster as in any other part of Ireland. One of the worst cases of abuse of the Land Purchase Act, owing to the present state of the law, occurred the other day in respect to the Ballyhillville Estate in the County Down. And in Ulster, just as in other parts of Ireland, tenants who happen to be under encumbered landlords cannot get as good a chance of buying as tenants who are under landlords able to pay their way. At present a mortgagee with power of sale can sell to anybody else, but he cannot sell to the tenants under the Land Purchase Act. I venture to think that that is a provision which is not just. It is not to the advantage of good order in Ireland that there should be a new race of speculative purchasers coming in to own the land of Ireland, and cut out the tenants who would be the best owners of the land. The present race of landlords gain nothing by it. These are the main provisions which deal with the amendment of the law affecting existing tenants; and I do not think there is anything revolutionary in them. They are drawn not in a class spirit, but to give justice, fair play, and good administration to landlords as well as tenants, and to the mortgagees as well as landlords. Then there are other provisions dealing with the evicted tenants. The hon. Member for Mid Armagh told us that however good

might be the provisions relating to tenants in possession, he could not support the Second Reading of this Bill, because the Bill also proposed to confer some benefits on evicted tenants. What are the benefits which we propose to confer? The first is, I admit, a very slight benefit; it is an extension of a longer period of time for the sale, which is generally associated with the name of the hon. Member for South Tyrone. I fail to see why it is necessary, when a moderate and reasonable proposal such as that is made, to go through the whole history of every fund, apparently, which has been raised for political purposes in Ireland in the way the hon. Member for Mid Armagh has done. This is only a slight amendment of the clause of the hon. Member for South Tyrone. He must know that in these cases there is great difficulty in bring landlord and tenant together. We propose in this Bill that in these cases the landlord and tenant should go and refer the terms to be settled to the Land Commission. We did not introduce the word "compulsion," and for this reason—that when the Motion of the hon. Member for Roscommon was submitted the other day, although supported by the Irish Representatives, it was opposed by the Government. We thought it necessary to draw a clause which would be moderate enough to be acceptable to the Government, and in accord with their expressed views. It is proposed by Clause 3 that a sum of money shall be set apart for the purpose of enabling these holdings to be brought again into cultivation. The hon. Member for South Tyrone will admit that the second great difficulty, after you have brought the landlord and tenant together in effecting a settlement, is to get these holdings back into a state of cultivation which will enable the Land Commission to advance the money. We propose to deal with that, not by means of Imperial money, but by taking a small and limited sum out of an exclusively Irish fund—the Irish Church surplus, and thus to enable these men to become as they were before their eviction—useful cultivators of the soil. The Irish Church surplus is a national fund, and I venture to contend that there is no purpose to which it could be more fittingly applied than the restoration of the evicted tenants from their holdings. The hon. Member for Mid Armagh and the hon. Members

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who supported him on the other side of the House are very anxious to dissociate themselves from the evicted tenants, but I have not heard of any tenants in the North of Ireland who have refused to take advantage of the Act of 1887 because it was won by the Plan of Campaign. I, therefore, ask whether there could be a more religious purpose, in the best sense of the word, to which this Fund could be applied than the restoration of peace and tranquillity to the Clanricarde, to the Ponsonby, to the Alford, and to the other estates where disorder and suffering now prevails? I hold that, on every ground, it is the proper source from which this boon should be given to the Irish tenants. The hon. Member for Mid Armagh told us that there are other Irish funds to which we might first look. He said there was an Irish Tenants' Fund, which was the only Association in Ireland which did not take sides in the controversy. He stated, however, that this money was collected on false pretences.

MR. BARTON: I should be very sorry to suggest that the money was collected under false pretences. I said I had no right to inquire. I only called attention to the fact that hon. Members were asking for public money when there was an existing fund which could be utilised for the purpose.

MR. KNOX: The hon. Member certainly seemed to me to insinuate that the money had been subscribed for the purpose of the evicted tenants only in Ireland, and that it had been applied to other purposes by hon. Members sitting opposite to him. Well, I say that is not the fact. The money was subscribed for national purposes—for the purposes of the evicted tenants, and for other purposes. It was subscribed directly in accordance with the resolution that was passed; and if the hon. Member wishes to know, a very large sum has been paid over and applied out of that money for the purposes of the evicted tenants. Whatever differences of opinion there may be amongst the Nationalist Members in Ireland on the question, the evicted tenants will not be stinted, but that is no reason why the work of restoring peace in Ireland should be thrown entirely on the funds of a political Party. In many cases, as in the case of the Clanricarde Estate, there has been a serious conflict, and there are likely to

be conflicts which will disturb the peace for many a long year. Some previous Chief Secretaries have done something towards trying to restore peace there—the right hon. Gentleman the President of the Board of Trade tried to do something. The present Government seem, however, to have abdicated their functions to do anything to restore peace on this estate, and the supporters of the present Government tell us that the functions of Government in restoring peace to the country should be thrown on a political Party. I venture to think that while right hon. Gentlemen are on the Treasury Bench they are responsible for the Government of Ireland, and they should do their part towards restoring peace on those estates. This Bill, drawn moderately as it is, drawn not in the interest of one class but of every class connected with the soil of Ireland, should be carefully considered by Her Majesty's Government. I venture to hope that whatever their opinion may be as to the origin of the Plan of Campaign, and the justification for it, they will allow the Bill to pass its Second Reading, because its object is an honest one.

(5.13.). MR. MACARTNEY (Antrim, S.): It is only to be expected that the Land Purchase Act will need amendment at some time or other. Every Act of such importance and magnitude must require such amendment, but hon. Members opposite have not shown any substantial reasons for the Amendments they have proposed. What experience have we had of the Land Purchase Act up to the present time? I am prepared to say that neither on this side of the House nor on that side of the House is anyone in a position to say that the Act is an absolute and convincing success; but the short experience that we have had of it goes to prove that there is every reasonable expectation of its proving a success. Statistics show that there is a great desire on the part of the tenants to avail themselves of its provisions. I have heard tenants discussing this Bill, and looking at it from all points of view; but I have never heard that the Insurance Clause has been the means of preventing them coming to an agreement with their landlords, and I submit that the argument put before the House to that effect is not a substantial argument. I should be utterly misrepresenting the views of the

Irish tenants whom I represent if I were to accede to the provisions of this Bill as to the relief to be given to them out of the National Insurance Fund in Ireland. They believe that the responsibility which has grown up, consequent upon the action of hon. Members opposite, both above and below the Gangway, must be borne by those hon. Members at the present time. They have led these men out into the wilderness, and it is their duty to do what they can to extricate them from the difficulty in which they now find themselves. The hon. Member who moved this Bill based his claim to the support of the House by a reference to the Clanricarde Estate. I say that neither on that nor on any other estate can there be found any reason for supporting this Bill. On the Clanricarde Estate the Plan of Campaign has broken down. Negotiations have been successfully carried out between the evicted tenants and the landlord, and I have heard that 30 tenants have been re-instated in their former holdings during the last year. In each of these cases the tenants have paid a substantial portion of their rent which was due and all the costs, and have given an undertaking to make a further payment at the end of six months. In addition to that the agent for the Clanricarde Estate has been able to dispose of upwards of 26 other farms.

MR. ROCHE: I have not referred to the Clanricarde Estate at all.

MR. MACARTNEY: If hon. Members will allow natural causes to have their effect and permit the evicted tenants to come to terms with their landlords the whole difficulty with regard to the tenants would speedily disappear. I can say from my own knowledge that the spirit which has existed among the Irish some years ago, and of which hon. Members opposite have taken advantage, is rapidly vanishing. Hon. Members opposite can no longer rely upon the credulity of the tenants. The responsibility for the present condition of the evicted tenants rests upon them. They have advised these men to leave their farms rather than pay the rent which they were perfectly well able to pay, and they are now seeking to restore those unfortunate people to their former position at the cost of the Nation. What are the causes which have withdrawn from the hon. Members oppo-

site the financial support of the people of Ireland. There was a widespread feeling in Ireland that the money subscribed by the people of that country for certain purposes has not been applied entirely to those purposes, but has been used for other purposes, which were for the pecuniary advantage of those who have made political agitation in Ireland the most profitable business in that country. I will read a passage from a remarkable letter which was written by the rev. Canon Doyle in reference to both secretaries of the Irish Party. In that letter the rev. Gentleman said :—

"I say the lawyers we have now in the House, and some out of it, acted scandalously on the trials under the Coercion Act: that they actually transferred them into a milch cow; that they fattened on the sufferings and miseries of the poor persecuted people. The guilty are to be found in both wings of the disrupted Party. The fact—the disgraceful fact—is notorious. It is the business of the people to inquire into the characters of the men they return as their Representatives. If they return a gang of political adventurers, whippers from newspaper offices, sharpers, *chevaliers d'industrie*, and understrappers of every degree, what can they expect but to be sold to the highest bidder."

Now that is the deliberately expressed opinion of one of the leading parish priests, himself a Nationalist; and can hon. Members opposite be surprised that after such a condemnation their milch cow has failed them, and that there should be some reluctance in the minds of men to contribute their half-crowns on Sundays as before when they find that the funds to which they have subscribed are used not only for the purpose of the evicting tenants but for other purposes. I ask whether they will publish a statement showing how the funds have been distributed, and whether they will tell the people of Ireland which has supported them how much has gone for other purposes. If they will do that and submit their accounts to a proper audit, then I daresay they will find that the subscriptions that will come in on behalf of their cause will be much larger than they are at the present time. My constituents complain that three-fourths of the fund have not been applied to their proper purposes, and they would certainly strenuously object to see even the sum of £100,000 further applied to the use of men who have brought themselves into their present condition by having followed the advice of the leaders of a political agitation which is

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believed to be disastrous to the best interests of Ireland. If hon. Members really want to assist the evicted tenants, let them remove the ban which has been placed on these men. Let them direct Father McFadden, of Gweedore, to cease to interfere between landlords and tenants. The Irish people are told that the best way to heal their differences is to re-unite in the fight with landlordism, but if the tenants are allowed to come to terms with their landlords, they will be re-instated in a very short time. There is no use in hon. Members coming to the House and asking for funds to relieve distress and to cure disorder, when that disorder can be removed and that distress relieved by one word from the leaders of the agitation in Ireland. Now, a speech was made in the month of November last, which was reported in the *National Press*—a speech of great importance, not because it was made by an Irish Member of Parliament, but because, in addition, it was made by a gentleman who is now director of the literary activity of the *National Press* and the *Freeman's Journal*. He told the people at Longford that the best way of re-uniting the people was to re-unite them in the fight against landlordism. After that speech I certainly thought something more approximating to the ideas of the general Plan of Campaign would have been contained in this Bill. But hon. Members now come forward as the benefactors of the Irish landlords. I have looked at this Bill, and from that point of view I do not think they have justified their claim. The hon. Member for Cavan dealt with Clause 9, which would place mortgagees in the same position in Ireland under the Land Purchase Act as the Irish landlords. I altogether object to that. If a mortgagee wants to be placed in the shoes of a landlord, let him foreclose his mortgage, and then he will be in a position, if he chooses, to deal with the tenants. But I altogether object to a mortgagee coming in and squeezing the landlord into terms which may cover the mortgage but which may leave nothing to anybody else. Now, Sir, as regards Clause 10, which deals with the case of the speculative purchaser, I must say that I do not see that the speculative purchaser is a man who would do any great injury in Ireland; perhaps he might facilitate operations. There might well be cases in which the landlord had his estate

encumbered in such a way, and to such an extent, that he could not come to an agreement with his tenants as to the terms upon which he would sell his property. But supposing a speculative purchaser walks in and says to the landlord, "I give you so much down in cash," the landlord might accept from the speculative purchaser his terms, leaving the speculative purchaser to make terms with the tenants. Having paid the landlord in cash the speculative purchaser would be entitled to make something out of the transaction, but he must make reasonable terms with the tenants, because those terms would be subject to the approval of the Land Commission. Therefore, Sir, the only effect of this provision would be to retard and to obstruct the operation of the Land Purchase Act. That being so, I shall oppose that clause. Now, Sir, as regards Clause 6, although I admit it is intended to operate for the benefit of the agricultural labourer, it does not confer upon him any benefit at all. At present, under the Land Purchase Act, he not only shares in the distribution of the county percentage but in the share of the Exchequer's contributions. As regards the proving of titles, I would be glad to do anything to shorten the time, as I think there is great hardship in the present mode. Sir, looking at this Bill in its wide and general application, having regard to the fact that it is really a Bill for the relief of the evicted tenants and to apply to them a share of national funds, I am bound to say, for myself and for those I represent, that I shall have to give it my strongest opposition.

(3.40.) MR. SEXTON: Men of public spirit in or out of the House will be disposed to agree that this Debate would have lost nothing, and might indeed have gained much, if hon. Members who have spoken in opposition to the Bill had been content to address themselves in a spirit worthy of a deliberative Assembly to the merits of the case and to the provisions of the Bill, and had not made the Debate the occasion of importing prejudice and passion, and making offensive insinuations and leveling intolerable insults. It would have been well for the character of this Assembly and the relations between its Members, if Members generally had been content to discuss the question in the

spirit of my hon. and learned Friend the Member for Cavan—a spirit of calm and reasonable argument upon the provisions of the Bill of last year, and the Amendment now proposed. But, Sir, hon. Members, and amongst them the hon. Member who has just spoken, have chosen, with a questionable sense of the nature and the limits of the subject, to make this Debate the vehicle for insult and insinuation against certain Members sitting on this side of the House. The hon. Member who makes these imputations—

MR. MACARTNEY: I only quoted speeches to show the views which certain Nationalists belonging to the hon. Member's Party entertained.

MR. SEXTON: The hon. Member quoted speeches and drew inferences. He is one of those who take upon themselves the rôle of political scavengers and who search—and I regret that the hon. Member for North Armagh has inaugurated his career by following so vicious an example—who search throughout the Press for any speech, or letter, or phrase which might be held to convey an insult against any Member of this House, in order to introduce it into a Debate in this House to obscure the issues. I say to such men that though they may gratify an unmanly passion for the moment, they will not achieve an honourable position in this House. The hon. Member who last spoke belongs to, and is the spokesman of, a class that has plundered the people of Ireland for generations. The legislative results of our action have been that a million and a quarter sterling of money that was formerly taken annually from the people by these landlords now remains in their pockets. The hon. Member is, I say, the spokesman of a class that made life miserable for the Irish people until they were handcuffed by force of law—a class more responsible than any for offences against Christianity and civilisation—and yet the hon. Member comes forward to make imputations against a body of men who came into public life for honourable motives, and who have kept themselves free from dishonour, and of whom I say that their motives for coming into public life and remaining in it are more honourable, more free from selfishness and from personal gain than can be claimed by hon.

Gentlemen opposite. We are the only Party that come to this House from motives that are impersonal, and it is intolerable that a Debate on the Irish Land Purchase Act should be turned into an arena for the dissemination of insult. Reference has been made to the National Fund. I think I have already explained that the great bulk of that Fund is devoted to the relief of the evicted tenants and is applied to no other use; that Fund is in the hands of men who hold themselves responsible for every penny that is received and spent; the accounts audited and published in due course; and I shall be extremely glad to lay a copy on the Table if the hon. Member for South Tyrone will lay on the Table a copy of the receipts and expenses of the Secret Fund he administers for the sustentation of the planters, and if the Chief Secretary will give us an account of the receipts and the expenses of the Carlton Club. I make that challenge, and until that challenge is answered I defy hon. Members to repeat these insults.

MR. BARTON: The hon. Member has misunderstood me. I never made any personal reflections. What I said was that this Evicted Tenants' Fund was a Party Fund, and that we were asked to supplement it by public money.

MR. SEXTON: Yes, Sir; but there was a certain under-current of imputation running through the speech of the hon. Member, and I say that if that is continued the dignity of the House will suffer. The order of Debate will not be advanced, and the pacific relations and the existence of good feeling between different parts of the House will be rendered impossible. The hon. Member did make reference to the existing public fund as a reason why our claim should not be met. I make bold to say that a more despicable policy never was announced in this House. It amounts to this—that those evicted tenants now constitute a charge upon the Irish people, and that you will not allow a grant of public money to be made for their relief, because the people would thus be relieved of the burden and would be able to make use of that money for political purposes. That is a deliberate avowal that the Government refuse our demands, so that the people of Ireland may be embarrassed at the forthcoming General Election in the exercise of their constitutional rights.

Mr. Sexton

Was ever a more disgraceful policy announced? When the people of Ireland know the policy they will see its baseness. Now, Sir, we are asked to reject this Bill, on the ground—

“That this House, though perfectly willing to consider a reasonable Amendment of the Land Purchase Act of 1891 . . . declines to re-open the question of the evicted tenants, it having been previously decided this Session.”

Those who agree with that Amendment are bound to support this Bill, because it contains clauses which it is admitted are worthy of being considered. In the second place, the question of the evicted tenants has not been decided this Session, and for these two reasons I claim that the Bill should be read a second time. No doubt certain propositions connected with land purchase have been rejected this Session, but none of them were identical with the clauses of the Bill now before the House. The position taken up by the hon. Member for South Derry is one which is neither justified by his experience nor by his authority. This Bill deals with people out of their homes. It is, therefore, urgent. Secondly, we believe that no system of land purchase will succeed whilst the present system of insurance stands. Even compulsion would be of no service. The hon. Member for South Derry has taken upon himself to criticise the conduct of the Irish Members in the Debate last night. He developed a spirit of rancour, and spoke of this as an O'Brien and Dillon Relief Bill. He would reject this Bill not because of the dispossessed conditions of certain people, but because certain other people took an interest in them. The question before the House is whether this Bill is for the public benefit and in the interests of public order. The reason why these evicted tenants have an unimpeachable claim is this—that it was they who induced the House to pass remedial legislation. By resisting unjust demands, by going out rather than pay exorbitant rents, these men obtained all the reforms of the law that have taken place during the last ten years. The justness of the claims of these men have been admitted in the most solemn form in Acts of the greatest importance, and a moral obligation lies upon the Government and the House to see that the men who first applied the levers of justice should not be left out in

the cold. There was nothing more amusing than the speech of the Attorney General for Ireland last night. He spoke of our conversion to the policy of purchase. Sir, we are the originators of the policy of purchase, having been prosecuted for it. We forced it upon this House. We compelled one Party after another to accept land purchase; and if the right hon. Gentleman will ask at Dublin Castle for a copy of the card of membership of the Land League in 1879 he will find that the second of the ten objects of the League was to make every tenant in Ireland on fair terms the owner of his holding. This latest neophyte official of the Tory Party stands up in the House of Commons, in the face of us who have gone through the desert for the sake of the cause, and have brought it down to the threshold of success, and waves the torch of the true faith of our fathers. There is another question to be considered, and that is whether or not the Act of last year has succeeded? That is the fundamental question here to-day. If the Act of last year has been a splendid success, of course there is no need for amendment. But I claim with confidence that not only has the Act of last year not succeeded, but that up to the present moment the course of transactions under it may be pronounced a failure. The Attorney General said the success of the Act was so great that we were compelled to apply it compulsorily to the whole of Ireland. But we think the success of the Act was so little that it is necessary to apply compulsion in order to make it a complete success. I believe the Chief Secretary gave particulars up to the 28th March to the hon. Member for South Tyrone; but when I applied for particulars of the sums applied for, sanctioned, and issued, the right hon. Gentleman could only give me the sums applied for, but not those sanctioned and issued.

*MR. JACKSON: I think it a little unreasonable to press this. I did not see the question until I reached the House at twelve o'clock. It only appeared on the Paper for the first time this morning, and the information could not possibly be given without communicating with Dublin. I ask, is it reasonable to press such a point when it really would not have been possible to get the information, and when, as a matter of fact, I had not seen the question?

MR. SEXTON: Of course, I accept the statement of the right hon. Gentleman. All I can say is that the hon. Member for South Tyrone appeared to revel in the information.

*MR. JACKSON: He applied to me in writing, and gave notice that he intended to ask the question. I was unable to get the information by Question time, or I would have given it in answer to a question across the floor of the House. When I did get it I sent it to him in the ordinary course, as I should have sent it to any other hon. Member.

MR. SEXTON: I put my question down last night, and the right hon. Gentleman had it this morning. There is a wire from the Irish Office to the Land Commission in Dublin, and I think it would have been reasonable if the officials of the Land Commission had this morning, in ordinary course, supplied the information by wire. They could have wired the information as they do every day. The Commissioner, who has no less than £3,000 a year—Mr. Trench—might have wired the intelligence.

*MR. JACKSON: They could not know of it until they were communicated with.

MR. SEXTON: What in the world is the Irish Office for? The Votes and Proceedings were delivered at the Irish Office this morning at ten o'clock.

*MR. JACKSON: Not in Dublin.

MR. SEXTON: The clerks could have wired the question in the ordinary way, and a reply might have been sent to the message, as is usual in such cases. However, we have to seek out the information as best we can; we have to take it at second hand, and fall back on the speech of the hon. Member for South Tyrone. But the hon. Member for South Tyrone fell into the grievous error of supposing that the success of the Land Purchase Act had been shown by coupling together the transactions under the Ashbourne system and under the Act of last year.

MR. T. W. RUSSELL: I gave the operations under the Ashbourne Act for the five months from August to December, 1891, and then I took the new Act, which, for all practical purposes, came into operation on the 1st July, and gave the Returns separately.

MR. SEXTON : That is precisely what the hon. Member did not do. On the contrary, he treated the cumulative operations under the Ashbourne Act of last year as a proof of the success of the Land Purchase Act. The grand total under the various Acts from August to December, the hon. Member said, was 1,962 applications for £769,510; therefore, he had to give the transactions under the Ashbourne system last year and the transactions under the Land Purchase Act, and he cited the cumulative facts as a proof of the success of the Land Purchase Act. But that is exactly our position. Our contention is, that the transactions under the Ashbourne Act have been more numerous than they would be under the present Act, because the former gave the tenant the full benefit of the bargain; and under the Ashbourne Act in six years there have been applications for £6,000,000. What were the applications under the new Act? Though the figures were few and slight, the hon. Member for South Tyrone was not able to carry them correctly. He told us that in October the amount applied for was £943; in November, £35,000; and in December, £79,584. But, as a matter of fact, the hon. Member gave as the transactions for December the transactions which had taken place during the whole of the three months. The hon. Member, as another argument that the Land Purchase Act had succeeded, stated that "for a period of practically three months there had been 1,253 applications for the amount of £444,612." What does he mean by practically three months, when the period he took was actually seven months? The Land Purchase Act was passed in August last year, and it was open to any tenant and landlord to agree at any time from the month of August up to the present day. And in the whole of those seven months the transactions under the Act have been something over 1,200, and the amount applied for £444,000. And it is owing to the Evicted Tenants' Clause, inserted by our pressure, that you are able to prevent the miserable appearance of the course of transactions under the Evicted Tenants' Act. How many voluntary and free transactions have occurred with evicted tenants? I should think very few. I therefore say that the great part of those 4,000 applied for is due to the clause we

had inserted in the Bill of last year, and if you consider the transactions which are absolutely free in regard to tenants in possession of their holding, the Act is an absolute and miserable failure. I will not go into the details of the Bill, but will say it is a Bill which proposes to benefit every class in Ireland. There is a clause for the benefit of the labourers which will give them £30,000 a year under the Land Act. Why should £40,000 a year be locked up for five years in a reserve for which there is and can be no need, whilst the labourers in Ireland, to whom this money might otherwise be applied, are living in a state of misery and in unsanitary houses? Three of the clauses are for the benefit of the landlords. I have to say, in reply to the hon. Member for South Derry, that if we had proposed in this Bill that the landlords should have cash, that would not have been allowed, because no Member of this House is allowed to propose a charge upon the Public Revenue. And I would counsel the hon. Member for South Tyrone to counsel his friend the Member for South Derry not to run into the adjudication of those matters, which are already in the hands of competent authorities. The Chief Secretary says that the landlords may have Consols instead of cash if they desire, but the National Debt Commissioners are only empowered to issue a certain amount of Consols instead of Land Stock, and no landlord would be sure that any would be available for him. This Bill would make it plain that any landlord could have Consols if he pleased. I will not deal with the clauses benefiting the tenants in detail. The Insurance Fund in many cases works unevenly and oppressively. The insurance should be voluntary, and then I believe that many of the tenants would be willing to insure; but there is something abhorrent in compulsion, and it creates a prejudice against the system which would not exist if there were no compulsion. This Bill is intended to make the Act of last year work. If you pass it, it will confer benefit on the labourers, on the tenants, and on the landlords; it will make the policy of purchase—what it is not now—a practical and workable policy. If you refuse to accept it, in the name of common sense and decency do not persist in the nonsensical argument that the

men who offer such Bills to you to make your policy effective are enemies of land purchase.

*(4.18.) MR. T. W. RUSSELL (Tyronne, S.): I do not intend to deal with the earlier portion of the hon. Member's speech, but we must all recognise that hon. Members below the Gangway have become very thin-skinned and are greatly concerned about the dignity of debate. With regard to the working of the Land Purchase Act I wish to be very clear and very distinct. What I said last night was this, and my words are correctly reported. I said that for the five months from August to December last year the new Act was in competition with the surplus of the old Act, and that, inasmuch as the terms of the old Act were better for both buyer and seller, purchasers and vendors naturally went to the surplus of the old before going to the new Act. For those five months there were practically only something like 200 applications under the new measure. I admit that I summed up in the working for the five months the proceedings under both Acts, making a grand total of 1,972 applications, and my object was to show that during that period land purchase had been going on as rapidly as before. Then I turned to the three months, January, February, and March of the present year, bringing my figures down to the day before yesterday, through the kindness of the Chief Secretary, and I stated that during those three months, the only three months during which the Act can really be said to have been in operation, there had been 1,252 applications for £444,000.

MR. SEXTON: That is not the fact. That is the number of applications for the whole of the seven months.

*MR. T. W. RUSSELL: Accepting the hon. Member's statement, that only reduces the number of applications by 200, but my figures were clearly understood by the House. The hon. Member said, what he does not know, that many of these applications were by evicted tenants; if so, he is forced to the conclusion that they are coming in under the 13th section of the Act. Then what is the use of this Bill? If the old Act is sufficient, and these applications represent the evicted tenants, there is the less necessity for this Bill. When I came to

look at the Bill the first question I asked myself was, What is the principle of the Bill? Is it a Bill to amend the Land Purchase Act of last Session, or a Bill to restore the evicted tenants? Both these ideas are in the Bill. Hon. Members opposite shut out Members like myself and my hon. Friend near me and the hon. Member for Mid Armagh (Mr. Barton), who are anxious to vote for any reasonable amendment of the Land Purchase Act, by bringing in a Bill to amend it, and putting in three or four clauses dealing with the evicted tenants, which they know that the Government and we cannot accept. And then the hon. Members pose as the tenant's friends, bringing forward impossible Resolutions one night and absurd Bills the next day. This is more an Evicted Tenant's Relief than a Land Purchase Act Amendment Bill, judging from the speech of the Mover of the Second Reading. He devoted exactly two minutes to the first clause, which deals with the Insurance Fund, and then tumbled into the question of the evicted tenants, with which he is specially acquainted and upon which he feels deeply. Judging from that speech, the Bill is one for the restoration of the evicted tenants, and for handing over to them public money to start them afresh in business after they have failed. On the question of the evicted tenants I want to ask this frankly and plainly, Who is responsible for the position of these tenants? Mr. Speaker, this is not a case of men being unjustly evicted, though everybody will admit that there may have been such cases. The Bill proposes to deal with the men who were evicted in the old Land League days, under the "No Rent" Manifesto.

MR. ROCHE: Before it and under it.

*MR. T. W. RUSSELL: Under the Manifesto, for signing which hon. Members were put into prison by right hon. Gentlemen on the Front Bench. It deals with the tenants evicted under the Land League and the Plan of Campaign. These were grown men, who elected whom they would serve, and they took the bad advice tendered by hon. Gentlemen below the Gangway. They deliberately elected to follow that advice, and in hundreds, if not in thousands, went out voluntarily on the arrival of the Sheriff or were forcibly evicted. Under these circumstances, what right

have hon. Members to come to this House, whose laws they broke, having given that advice, and try to throw on the House the responsibility of doing what they call justice to these men? We have heard a great deal of Lord Clanricarde, but the hon. Member for South Antrim (Mr. Macartney) has dealt effectively with that. We were also told that on the Olphert Estate there were starving men and that destitution was prevalent. Mr. Olphert had 350 tenants, and they, acting under the advice of hon. Gentlemen below the Gangway, were nearly all evicted. They suffered nameless hardships, and 120 went back twelve months ago. I have had two letters during the last three or four days from that estate, from which I shall read extracts. In one, dated 26th March, the writer says—

"You will be glad to hear we have made another breach in the Plan of Campaign; about 60 tenants have accepted our terms."

These are the men for whom relief was asked—

"These terms have been three years' rent paid down and half the legal costs, and they have gone back and are rejoicing. The most of them paid during the last two days, so we may safely suspect that a number will follow their example. Many would have paid a fortnight ago, but were invariably turned back either at Gortahork or Falcarragh. This thoughtful action on the part of their leaders has thrown miserable dupes back in their crops and wasted a week of the finest weather we have had for a long time in this country." Last night I received another letter which says—

"Just a line to tell you 34 more evicted tenants paid up yesterday, including three of Father MacFadden's parishioners."

The gentlemen who have these agents waiting at the corner to turn back tenants who have a desire to get back to their holdings and the money in their pockets, have no right to come and ask for public money to carry out their policy. These gentlemen are responsible to the evicted tenants; they made their beds for them, and the pity is that the men who made the beds have not to lie in them. The Irish Church Surplus was never intended for a purpose of this kind. I remember the Irish Church Debates, and the right hon. Gentleman the Member for Midlothian gave a hint that this surplus might be devoted for the relief of distress, for the blind or insane. I almost think these tenants were insane, and a case might, perhaps, be made out

Mr. T. W. Russell

on that ground. But I say that so long as hon. Members prevent these tenants from going back to their holdings and settling with their landlords they have no right to come here and ask for £100,000 in order to put these men back. With respect to the Insurance Clause, I hold that it was brought about by the action of hon. Members below the Gangway. It is all very well for them to complain of it now, but there was no Insurance Clause in the Ashbourne Act. What made right hon. Gentlemen opposite insist on security? It was the threat of repudiation from hon. Members below the Gangway, and because of the open promulgation of that monstrous system of robbery, the Plan of Campaign. I was in favour of the Insurance Clause on its merits. The State, in this great transaction, is called upon to run a risk; the landlord is called upon to run a risk; and is it to be said that the man who is to get the whole benefit is the only man who is to have no responsibility, and to do nothing for his own salvation? It is not too hard to ask the Irish farmer to pay higher for the first five years, in order to make an Insurance Fund which is for his own benefit and not for the benefit of other people. I was going to make an appeal to the Front Opposition Bench, but it is unoccupied. It is the most extraordinary Front Bench I ever saw. It is always one wide expanse of green leather when it ought to be filled. The hon. Member for Northampton is also absent, or I would appeal to him as a *locum tenens*. But if the British taxpayer sees no good in this Insurance Clause I will not plead for it. If they are willing to relinquish their security I will not insist upon it. But what I say is that this Bill has two objects. One is perfectly legitimate and perfectly necessary, and I sympathise with it, and on that ground would support the second reading and discuss the matter in Committee. But when hon. Members mix up land purchase with the case of the evicted tenants, upon which this House has already given its verdict, I agree with the hon. Member for South Antrim that it is impossible for any man representing an Ulster tenant farming constituency to vote for a measure of this kind. If we made these tenants a present of this £100,000 we should do a grievous wrong to our constituents, and I do not think we should

be allowed to do that more than once. I shall vote for the Amendment, and now, as before, I shall resist any proposal to re-instate men who have no claim on the sympathy of this House and far less on its generosity.

(4.36.) MR. GRAY (Essex, Maldon): I contend that the English farmer has certainly had as many troubles as the Irish farmer, and I cannot say that I think the Irish farmer, though we hear more of him, has more claims upon this House; and, therefore, I am anxious that when the case of farmers is considered that an equal claim should be put forward for all, and that one class of farmers should not be benefited at the expense of another. I understand that this Bill is not considered by hon. Gentlemen from Ireland as a very important measure, and I gather from the hon. Member who moved the Second Reading that he himself did not attach much importance to it. I also note from speeches delivered on the other side of the House that they considered there were considerable benefits to be derived from the Act which this Bill was designed to amend—the Land Purchase Act of 1891. I was very glad to hear that, because we have been in the habit of hearing quite another thing; but as these benefits are now admitted, I ask is it worth while that that Act should be interfered with by proposals which cannot certainly be considered fair to all the parties concerned? We have heard a good deal about the evicted tenants, but I question whether we have ever had a proposal made in this House which is so unfair as this one. How would a proposal of this kind act in England? How would an English farmer like it when he had been in possession, say, two or three years, to be all of a sudden turned out because a man who, by the machinery of the Plan of Campaign—the most dishonest machinery that was ever introduced between landlord and tenant—had been compelled to give up the farm, was now to be re-instated? There is nothing fair in that proposal, and the English farmers will see that proposals of this kind are nothing more than obstacles in the way of the legitimate grievances of the English farmers being dealt with. I do not wish to speak in any spirit but one of kindness to the Irish Members, whose constituents, doubtless, have grievances as ours have; but I say to them

that if they bring forward proposals of this kind, which are not supported by any of the principles of justice or fair play, they not only damage themselves, but do an injustice indirectly to the English farmer. I think also that the powers conferred on mortgagees by this Bill are absurd. I am certain that they are unheard of in this country; but what guarantees have we that if this principle is adopted in Ireland it may not be brought over to England? Nothing is said in the Bill about the power of foreclosure, but the mortgagees can do anything he likes. I have every respect for the position of a mortgagee, but I would not give him such powers as are here conferred, and I am bound to ask if there is anything peculiarly exceptional with regard to the owning of land in Ireland that would make the conditions so different from what are laid down as to the conditions of owning land in England? It seems to me that some such procedure as the provision in the Land Purchase Act of 1891, relating to the insurance of the small holders who buy under that Act, is perfectly fair either in England or Ireland, because nothing is more precarious than the business of a farmer; and I think that, speaking of small farmers with farms of from 30 to 40 acres in extent, it is for the interest of the farmers as well as for the interest of the ordinary taxpayer—who I suppose has to provide the money—that a system of insurance should be set up. I see no grievance whatever in connection with that matter. My apology for interposing in an Irish Debate like this is that I take an interest in the subject. I do not think that the interests of the farmers, either in Ireland or in England, would be advanced by accepting a measure of this sort.

(4.48.) MR. J. E. REDMOND (Waterford): I think nobody could complain of the tone or spirit of the hon. Gentleman who has just addressed the House. I am one of those who regret very much that the opponents of this Bill on both sides of the House did not speak in an equally calm and moderate tone. I regretted very much to hear the bitterness which was imported into the Debate by some of the speakers, and I can assure the House that I will not lend myself to any attempt to import into a discussion on the subject of the

evicted tenants in this House, or out of this House, any of the questions which for the last year have been dividing the different sections of Irish Nationalists amongst themselves. I only rose for the purpose of making it perfectly plain, although I scarcely think a word on the subject is necessary from me, that there is absolute unanimity amongst all shades of Nationalist Representatives in this House as to the necessity which we believe exists for some measure to give relief to these evicted tenants. The responsibility for these evicted tenants, I admit, to some extent, does rest upon the shoulders of the Nationalist Members. I am not at all inclined, for my part, to attempt to shift off my shoulders whatever share of that responsibility rests upon them. But, of course, the main responsibility for the existence of the evicted tenants rests upon the land system in Ireland, which for so long has been the cause of misery, and oppression, and eviction amongst the tenant farmers. At the same time, I admit that responsibility rests upon the leaders of Nationalist opinion in Ireland, who have placed themselves at the head of the tenants in the agitations which have taken place in that country. It must be perfectly plain, however, to every man, that there cannot be a settlement of the Irish Question, that there cannot be a restoration of peace and order, and contentment and goodwill in Ireland, except some means are found for restoring the bulk of these tenants to their homes. I believe that the gradual process of restoration which has been going on from one cause or another may continue, but that is a slow method and an uncertain one; and I believe it will be necessary for any English Government which tries to settle this Irish Question to deal with the question of the evicted tenants. Allusion has been made during this Debate to the state of the Front Opposition Benches, and it would be easy for me to take advantage of the deserted state of that Bench to found certain arguments thereon, but this much, at any rate, must be said: that so far as this Bill deals with the evicted tenants the Front Opposition Benches are pledged on this question without coming here at all, because my hon. Friend the Member for Roscommon introduced a Bill on the 2nd of this month of a more sweeping character for the evicted

Mr. J. E. Redmond

tenants than the one under discussion—a Bill which called in not only the aid of the Legislature for the purpose of assisting in the restoration of these tenants to their homes, but it actually proposed to take the planters by the neck and compulsorily put them out of the farms they had grabbed—that measure was supported in the Lobby by the full force of the Liberal Party and by all the Members of the Front Opposition Bench. So that for my part, so far as the question of the evicted tenants is concerned, I do not care very much—I am not very much concerned for the fact that the leaders of the Liberal Party are not here, because they are already pledged upon this question. So far as the remaining portion of the Bill is concerned—namely, that portion of the Bill which deals with the amendment of the Act of 1891, with the Insurance Clause, with the question of the particular kind of Stock and other subjects, I regret, I frankly say, that we have not had the assistance and advice of the right hon. Gentlemen upon the Front Opposition Bench; but I think their absence is probably natural, because I am one of those who recognise that the ultimate solution of this land question must be for them an exceedingly difficult matter. This land question was sought to be dealt with by them in a heroic spirit in 1886, but apparently the whole Liberal Party in the country revolted against the proposal to pledge British credit for the purpose of buying out the Irish landlords; and the policy of the leaders is plain. It is manifest on this subject they are not prepared to deal with this land question in a heroic manner—they are not prepared to propose a settlement of the land question based upon purchase; and I have not heard that they are prepared to settle the land question on any other lines. Therefore, they are in this position, they are without a policy at all. I do not object to that. I am one of those, I admit, who would be glad to see this land question settled concurrently with the Home Rule question, if possible. I cannot disguise from myself that if an Irish Parliament is created, to turn our attention immediately to a subject like this, which has kept classes apart for generations and centuries in Ireland, it will be very difficult indeed for us to succeed in achieving that without which we cannot succeed in the Government of Ireland at

home—namely, the union of different classes in Ireland in a combined effort to promote the social, and commercial, and political prosperity of the country. Therefore, I should be glad if it were possible that this Parliament and the Liberal Party, in their wisdom, could see their way to deal themselves with this question, before or concurrently with the settlement of the Home Rule question. But if the Government Party which I hope will come into power after the next Election is not prepared to propose a policy of their own, and this matter must be relegated to an Irish Parliament, it cannot be left in its present position; it must be given to Irishmen in their own Parliament to settle this question in accordance with what their own judgment and conscience may seem to direct. I would urge upon the House that every day that passes with these tenants left out of their homes the difficulties of the Irish question must increase, the danger to the peace of Ireland must continue. The state of things in Ireland at the present moment may be deceptive to those unacquainted with the country; but it cannot be deceptive to the First Lord of the Treasury, who has boasted that he has restored order in Ireland. But he must know that order cannot be perfectly restored or put upon a satisfactory footing in Ireland so long as there are thousands and thousands of families out of their homes. It is nonsense, with great respect, for the hon. Member for South Tyrone to try to lead the House to believe that when we speak of the evicted tenants we mean the men who have two or three years' rent in their pockets, and who are able to pay their rent. There may be such men, but I am not aware of their existence. Of the evicted tenants there are 5,000 families at least altogether all over Ireland—some of them out of their homes since 1879—and there may be some tenants scattered here and there able to do what the hon. Member says has been done in one instance to his knowledge. But it is nonsense, and he knows it is nonsense, to allege of the vast majority of these 5,000 tenants that they are in a position to pay two years' or even one year's rent at the present moment. They are not; they are there out of their homes. The vast majority of the homes have not

been taken by new tenants. The vast majority of these farms are idle; they are going to waste there, a scandal to the country side, a source of loss and a disgrace to the landlords. And I do think, whether the particular proposals before the House now are perfect or not, that for the sake of the credit of the country, for the sake of the peace of the country, all parties in this House ought to unite to devise some means whereby, justice being done to the landlords as well as the tenants, these men might be restored upon fair and equitable terms to their own homes.

*(5.0.) THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): I may perhaps be permitted to join in the regret expressed by the hon. Member for Waterford, who has just sat down, that we have not had the advantage to-day of the presence of Members on the Front Opposition Bench to hear what he had to say, and to be ready to answer some of the questions which he has put to them. It is true that on a recent occasion when a Bill of this description was before the House there were certain votes given in favour of that Bill; and in some respects that Bill even went beyond the Bill now before the House. I confess I heard the speech of the right hon. Member for Bridgeton on that occasion with much surprise, but the hon. Member for Waterford must not deceive himself by hugging to himself the belief that if the Party opposite comes into power after the General Election they will introduce measures similar to the present or the other Bill to which he has alluded. We have heard something about being in a position of greater freedom and less responsibility; but if right hon. Gentlemen on the other side were to get into a position of greater responsibility and less freedom, hon. Members would probably find that these right hon. Gentlemen will not follow up by legislation the promise of their votes. It is no doubt very desirable to encourage as far as possible the evicted tenants in coming to terms with their landlords. I am not sure that the introduction of a Bill of this kind will not tend, and has not tended, seriously to delay many settlements which would otherwise have been made. It is true that there are a good many of these farms lying derelict in Ireland; but it is true also that during the last year there has been a

distinct movement in the direction of evicted tenants coming to terms with their landlords, and being restored to their holdings. It has been forcibly pointed out by the hon. Member for South Tyrone that a great deal of responsibility rests upon hon. Members in regard to evicted tenants. It should be borne in mind that a very large number of the evicted tenants cannot truthfully state that they were evicted because they were unable to pay unjust or excessive rent. It was open to all of them to go into Court and to demand that a judicial rent should be fixed. It has been avowed over and over again that a great many of these evictions were carried out in consequence of men trying to break down the law and to ruin the property which had been let to them. I am afraid the real truth is that the money which has been necessary, and which is necessary, to maintain their families, has for some time past been running short. The hon. Member for West Belfast attacked my hon. Friend the Member for Antrim for having used strong language and for having gone into matters which, he said, had no reference to this particular Bill. He hardly fulfilled the promise in his earlier sentences that he would proceed to discuss the provisions of the Bill in that calm and judicial manner which he desired to see in the hon. Member for Antrim. The hon. Member for West Belfast charged the hon. Member for Antrim with a desire that what he called the burden imposed upon the people of Ireland in relation to the tenants evicted under the Plan of Campaign should be borne in such a way as to diminish the Fund at the disposal of hon. Members opposite for election purposes when the day of election came. My hon. Friend might possibly have retorted that the object of bringing in this Bill is to give a promissory note in lieu of cash, in order to save that Fund for election purposes. The Bill is one, I think, which can hardly be accepted by this House. Reference has been made to the various clauses of the Bill, and attention has been directed to the fact that the Bill proposes to make a reduction in what is called the Purchasers' Insurance Fund. Now, it turns out that the Purchasers' Insurance Fund may operate in three ways. In the first place, it is unquestionable—although it seems to be rather doubted by some speakers—that it is a security to the State, because

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to the extent that the purchaser pays a larger instalment in the first five years he reduces the balance due to the State, and to that extent the State is left in a better position at the end of the five years than it could be if there was no such Fund. It operates also in the direction of encouraging thrift on the part of the tenant purchaser. It may likewise operate in another way. It will be in the recollection of hon. Members that when this question was being discussed, the Government were warned of the responsibility they were accepting by putting themselves into the position of landlords who might have to evict their tenants. This Insurance Fund, to a certain extent, operates in the direction of enabling a tenant to call upon its resources in the event of bad seasons coming upon him, and so protecting him against the Government having to take measures for recovery by process of eviction. I think we cannot be too careful in preserving to the utmost extent all the securities that have been given by the Land Purchase Act to the British taxpayers and to the State, and also in preserving them in their several proportions. Now, Clause 2 has been referred to. It proposes to extend the time within which arrangements may be made and bargains entered into by the evicted tenants under Section 13 of the Land Purchase Act to the 1st January, 1894. Well, in my opinion—and I speak with great diffidence on the subject—to adopt a course of that sort at the present time is rather to delay than to promote the settlement between the evicted tenants and their landlords. This clause must be taken with other clauses of the Bill, which would practically prevent dealing with the land from which tenants have been evicted. There is another clause which seems to be a very innocent one, and which is described as a clause to prevent speculators from making a profit by the sale of the estates. I think it is a clause calculated—and I presume it is intended—to restrict competition on the part of outsiders, and to prevent anyone from competing with the evicted tenants. I do not think that a Bill of this kind is one which the Government can for a moment sanction. Something has been said about Section 5, and the hon. Member for West Belfast referred to some statements of mine on a former occasion with reference to the exchange of

Land Stock for Consols. It is true that there is a restriction in the clause dealing with the subject which gives power to the Treasury to fix the limit within which that exchange may be made. I think that it is a perfectly reasonable power to give the Treasury, so as to protect it from being called upon to any unreasonable extent. But the position is this: The Treasury have, as a first step, authorised the National Debt Commissioners to give Consols in exchange for Land Stock to the extent of £5,000,000 a year. Now, I say that, in the present condition of things, and certainly with the number of applications already made, that that is practically giving a free hand for the exchange of all Land Stock that may be offered to them within a considerable period of time. The Treasury have distinctly stated that, whilst giving that authority for the exchange to the extent of £5,000,000 to the National Debt Commissioners, they will be prepared to give further authority should it be required. I think that I am justified in assuming that the exchange of Consols for Land Stock is unlimited for all practical purposes, and that landlords can have no doubt as to the certainty of getting Consols in exchange for Land Stock if they desire it.

MR. SEXTON: I accept that statement.

*MR. JACKSON: I am obliged to the hon. Member for so kindly accepting that. My own impression is that the Land Stock will be the more valuable of the two, and that there can be no doubt that for the purposes of investment it will be worth the higher price in the market. The other point is the question of the Exchequer contribution. The House is aware that under the Land Purchase Act the Exchequer contribution of £40,000 a year has to be handed over as part of the Reserve Fund for a period of five years, or until the Reserve Fund reaches the sum of £200,000. The argument used to justify the proposal that this sum shall be reduced is the argument that according to present experience it will be a long time before such a Reserve Fund could be justified by the number and the extent of the applications made under the Act. Sir, I decline altogether to accept that as being either a sound or a reasonable view. I hold strongly the opinion, and I think it is a reasonable opinion to take, that owing to many causes, partly to the fact of the non-issue of rules by the Treasury,

partly owing to the fact that the Act was new and in some respects complicated, partly and largely from the fact that there was still a considerable balance under the Ashbourne Act—the transactions or applications under the new Act have been comparatively limited for the earlier months, but there is distinct evidence at present that there is a large movement under the new Purchase Act, and I believe it will go on at an accelerated pace within six months of the passing of so great a measure. It is altogether too early for this House to come to the decision that the applications under the new Act would not be sufficiently numerous and sufficiently important to justify the amount of the Reserve Fund. But, Sir, even if I were convinced that the operations under the Land Purchase Act would not be so numerous as I think they will be, I should still decline to be a party to tampering with or altering in any way the security that the Government and Parliament have pledged—the security upon which Parliament authorised the Government to lend £30,000,000. As a matter of principle and precedent it would be a fatal example if at this period of time we attempted in any degree or to any extent to tamper with that security. Now, Sir, there has been something said with respect to the cheapening of the conveyance and the simplifying of the procedure connected with the transfer of land. Well, Sir, I would point out to the House that there is this very important question that should be borne in mind. A Vesting Order under this Act gives to the person receiving that Vesting Order an indefeasible title, and it would be in my opinion a great mistake that the Land Commission, in dealing with property for which they are bound to give an indefeasible title, that they should slacken in any degree the necessity which they now recognise of a careful perusal of the titles, so as to avoid their accepting bad titles with regard to the property inspected, to which they are bound to give the purchaser indefeasible titles. Something has been said about placing mortgagees in the position of landlords. I would point out that the mortgagee has the power at present to go to the Court and to ask the Court to sanction a sale of the property, and I do not think it would be fair, either to

the second mortgagee or to persons otherwise interested, to give that power without some investigation by the Court, and without giving an opportunity to those interested in the residue of the estate—I do not think it would be fair or just to give the powers proposed in this Bill to mortgagees, and, therefore, I do not think that that clause ought to be accepted. I would beg the House to consider how serious the position is of those who hold out false hopes to the evicted tenants. It is a great responsibility, and one which I would not venture on myself. There is a power at present enabling every landlord to deal with every evicted tenant if he chooses to do so. There is no difficulty if the two parties come to an agreement. At present all the landlords have to do is to agree with the tenant as to the terms on which he will be reinstated, and when the tenant is reinstated the Land Purchase Act comes into operation as regards those tenants. Sir, I say that this Bill if passed into law in the form in which it is drawn would give no more power to the evicted tenant to make terms with his landlord than he has at present; but if the Bill becomes law it will give the evicted tenant power to harass his landlord, and give to him and to those associated with him increased power of keeping derelict farms in a derelict condition, and will give increased powers to those who may desire to maintain boycotting and intimidation, and who have in a great many instances prevented a settlement being arrived at. I may go further and say that in a great many instances those evicted tenants were not evicted because they could not pay their rents, or even because they did not desire to pay their rents, but in a great many instances they were tenants who were evicted because they dare not pay in consequence of the intimidation which prevailed.

Question put.

The House divided :—Ayes 144 ;
Noes 220.—(Div. List, No. 61.)

Question proposed, "That those words be there added."

It being after half-past Five of the clock, and Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed to-morrow.

PILOTAGE PROVISIONAL ORDER BILL.

Read the third time, and passed.

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PUBLIC PETITIONS COMMITTEE.

Fifth report brought up, and read; to lie upon the Table, and to be printed.

MOTIONS.

CORONERS IN BOROUGHES BILL.

On Motion of Sir Albert Rollit, Bill to amend the Law in relation to the appointment of Coroners in Boroughs, ordered to be brought in by Sir Albert Rollit, Mr. Roe, Mr. Kimber, Mr. Chance, and Mr. Summers.

Bill presented, and read first time. [Bill 245.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

MR. SEXTON (Belfast, W.): Will the Leader of the House be good enough to say what business is proposed to be taken to-morrow and on Friday?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): To-morrow, I may inform the hon. Member, the first three Bills on the Orders of the Day will relate to Scotland—first, the Scotch Equivalent Grant; second, the Roads and Bridges Act Amendment Bill; and, third, the Burgh Police and Health Bill. On Friday morning Supply will be taken—probably Civil Service Estimates; but of that I shall be able to speak more definitely to-morrow.

MR. JESSE COLLINGS (Birmingham, Bordesley): Can the right hon. Gentleman say when the Ordnance Vote will be taken?

MR. A. J. BALFOUR: As the hon. Member knows, the Vote was nearly finished the other night when the Committee adjourned. I will put it down for Friday, in the hope that it will be reached then.

DR. TANNER (Cork Co., Mid): Can the right hon. Gentleman say when it is proposed the House shall adjourn for the Easter Recess?

MR. A. J. BALFOUR: There is a good deal of business to be got through first. Perhaps the hon. Member will allow me to defer an answer to that question.

MR. ESSLEMONT (Aberdeen, E.): Has the Scotch Burgh Police Bill been distributed?

THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): It has been, or it will be.

House adjourned at twenty minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 31st March, 1892.

SAT FIRST.

The Lord Methuen, after the death of his father.

CHAIRMAN OF COMMITTEES.

Moved, "That the Lord Foxford (*E. Limerick*) do take the Chair in Committees of the Whole House this day in the absence of the Earl of Morley."—(The Lord President [*V. Cranbrook*.] Motion agreed to.

SMOKE NUISANCE METROPOLIS
BILL—[H.L.]
COMMITTEE.

Order of the Day for the House to be put into Committee, read.

VISCOUNT MIDLETON: My Lords, after the observations which fell from my noble Friend the Prime Minister upon the last occasion when this Bill was before your Lordships' House, I should like to say a few words before your Lordships go into the Committee stage of the Bill. My Lords, I am afraid that the Committee which my noble Friend was kind enough to promise to support is not likely ever to come into existence. It was not the inquiry which I ventured to suggest to your Lordships or which I hoped to obtain; but I have done my best to adopt the suggestion of my noble Friend and to get such a Committee together. I find however, my Lords, that I am met at the outset by the very serious objection that your Lordships did appoint a Committee not above four years ago to inquire into a kindred subject, if not the exact subject with which I proposed to deal: that that Committee has reported after a great deal of valuable evidence, all of which I have read very carefully, was taken; and that the outcome of the deliberations of that Committee is the Bill of which my noble Friend opposite (Lord Stratheden and Campbell) has taken charge. That, my Lords, is a very fair objection to make to your Lordships being asked to go over the same ground again with very little

difference. But another objection which is even more fatal is that since that Committee sat the whole subject has been, I think most unwisely, delegated to the London County Council. Now my experience of the London County Council in the past (and I very much fear it will be the same in the future) is that it is engaged in discussions as it seems to me very unprofitably on many subjects with which the Legislature has not empowered it to deal, and that it entirely neglects a great many of those subjects with which the Legislature has especially entrusted it. The London County Council is very largely represented in this House. I have a strong impression that if a crucial Division were ever challenged by the Opposition, they would draw at least one-sixth of their support from the ranks of the London County Council. However that may be, the opinion of the London County Council, or of those members of it in this House, was distinctly challenged by the Prime Minister when I first mentioned this subject, and no member of the London County Council has risen in his place to say whether they have taken any account of this matter, or propose to do so,—the oracle has been dumb, and I must suppose that at present, at all events, other subjects occupy the minds of members of the London County Council, and that they do not intend to turn their attention to this subject. Then, my Lords, there comes the question of the Bill now before your Lordships. I confess I object to it in one sense, because I believe that since the Committee sat over which my noble Friend opposite (the Duke of Westminster) presided, further light has been thrown by science upon many of the points which were suggested before that Committee; and that we might have been able, either through a Royal Commission or through a Committee of the two Houses of Parliament, to throw more light on the subject than we have got now. Another objection which I have to the Bill is that I am not perfectly certain that the machinery provided by the Bill will work smoothly. But, my Lords, as I have no better plan to propose myself, or, at all events that I can give effect to, I feel that half a loaf is better than no bread, and I

shall certainly give my humble support to the measure of my noble Friend, hoping that in some shape or another it may shame, either the London County Council or the Local Authorities, to take some effective action in the matter which is their special province and with which it is their duty to grapple.

***LORD STRATHEDEN AND CAMPBELL:** My Lords, in moving that the House go into Committee I should not add a single word but for some peculiar circumstances which have recently arisen, and to which the noble Viscount in his statement has referred. Her Majesty's Government leaned to the opinion some weeks ago that there ought to be a fresh inquiry under the auspices of the noble Viscount, but, as he has ingenuously explained to us, he has not felt disposed to give any notice for the appointment of a Committee. He is fully justified in so repudiating his intention because Her Majesty's Government discouraged the two methods of inquiry that he proposed, and suggested one which it would not be easy for him to initiate. My Lords, I make no reflection of any kind either on the noble Viscount or upon Her Majesty's Government. I wish only to deprecate obstruction to the measure. The noble Viscount, as he has himself declared to-night, and on previous occasions, is an enthusiast for the object of the measure. The noble Marquess, the First Minister, and his friends long ago supported it in a critical Division by which for the first time its principle was ratified. Since then a Select Committee of the House has examined amended and indorsed it, and the shape which it now assumes approximates as far as possible to that which the Select Committee had so authorised. The actual clauses, as the Bill now stands, have been sifted by a distinguished barrister and well known draftsman, who has this year for the first time, assisted me in framing it. There is only one further point that I wish to mention. The London Public Health Act of last Session gives the Bill a more impregnable foundation than it would otherwise possess; for that Act, which is the entire emanation of Her Majesty's Government, adopted Vestries as the agency for sanitary purposes like the Bill before us, and also designates the Local Government Board

as the machinery for supervising Vestries in the way that this Bill has done. Indeed, my Lords, I may add—and it ought I think to be a conclusive vindication of the Bill, and to smooth the way to all its clauses passing—that there is not a single one that may not be defended, either as to authority or analogy, by reference to the London Public Health Act, 1891. Should the Bill pass this stage, it may reach the House of Commons before Easter, and there, I perfectly admit, some new inquiry in the shape of a Select Committee may be possibly legitimate; but, as the noble Viscount has explained to us this evening, here there is not any scope for it. We have, as he has candidly admitted, sufficient evidence before us to show that domestic smoke and industrial smoke must both be combated together, in order that London may reach at least as much daylight as other capitals enjoy, the point to which the framers of the measure had confined their aspirations. I will not detain your Lordships, as there are some clauses to go through, although I trust it may not be necessary to defend them. I now move that the House go into Committee.

Moved, "That the House do now resolve itself into Committee upon the said Bill."—(*The Lord Stratheden and Campbell.*)

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (*The Marquess of SALISBURY*): My Lords, in not opposing this Motion I trust I shall not be supposed to subscribe to the remedies the noble Lord proposes; but, as everybody agrees that the evil is a very great one, I think perhaps it would be an extreme measure to refuse the Motion of the noble Lord to go into Committee. What the fate of his Bill will be in the Standing Committee I will not venture to prophesy.

Motion agreed to; House in Committee accordingly.

THE MARQUESS OF SALISBURY: There is no doubt that this is an extensive power committed to the Sanitary Authority, and I would invite the attention of the Chairman of the Standing Committee to it, because I am going to submit that perhaps the

best way of dealing with it will be to send the Bill to the Standing Committee, to see what their view of it is, before we deal with it in the House.

LORD HERSCHELL: My Lords, I quite feel with the noble Marquess that the matter can be best dealt with in the Standing Committee; but I would call the attention of the noble Lord in charge of the Bill to this: that on the last occasion when a Bill of this kind was before the Standing Committee they spent two Sittings upon it, and put it into shape, upon which the noble Lord abandoned the Bill, and it went no further. That of course is not very encouraging to the Standing Committee to take trouble on another occasion with a Bill if that is to be its fate.

LORD STRATHEDEN AND CAMPBELL: Perhaps I ought to remark in reference to this clause, first, that it may be entirely defended by referring to Section 24 of the London Public Health Act of last Session, extending it only so far as to include the smoke of private dwellings. With reference to a remark which fell from the noble and learned Lord, I have already in a previous Session thoroughly explained my view of what occurred before the Standing Committee to which he alludes. I regret that any reiteration of the subject should be forced upon me. The circumstances were, briefly, that the Standing Committee, misapprehending their position, as I hold, eliminated all the clauses bearing upon domestic smoke, and thus entirely reversed the decision at which the House had previously arrived upon the Second Reading. But I need not dwell further upon that subject, which might lead to acrimonious contention. The wish of the noble Marquess that the Bill should be referred to the Standing Committee is not a wish with which I can at all sympathise; but the question before your Lordships now is merely whether Clause 4 should be adopted,—Clause 4 being the essence of the Bill, viz.: that bye-laws shall be within the power of Vestries to arrange. And I would here remind the House that the alternative suggested is between the Vestries and the London County Council. If the House concurs with, or participates at all in, the strong impression as to the deficiencies of the London County Council

that we have heard to-night from the noble Viscount, your Lordships will agree with me (although I pass no judgment on the London County Council) that on the whole it is more desirable to entrust the authority to Vestries, as you have done, by the Public Health Act, 1891, than to any other imaginable power.

Clause 8.

THE SECRETARY OF STATE FOR INDIA (Viscount Cross): I think, my Lords, Clause 8 ought not to be allowed to pass, even at this stage of the House, in its present form. It seems to be a very strong measure, to give this enormous power to the London County Council. I hope the noble Lord will be content to leave this clause out at the present stage, and to bring it up before the Standing Committee at some future stage. I cannot think that this House will pass this clause in its present form at this stage of the Bill; therefore I shall move the rejection of the clause.

Moved: That Clause 8 do not stand part of the Bill.—(*Viscount Cross.*)

THE DUKE OF WESTMINSTER: This clause, my Lords, is of course a permissive clause; it gives permission to the London County Council to do this, that and the other; and the object and reason of putting it in is perhaps to stimulate invention. Now inventions are being made every day; people are trying, in every way they can, to devise and invent some simple remedy for consuming smoke in domestic grates, and in some cases that has already been done. As it is a permissive clause to the London County Council I hope it may be allowed to stand. I do not think their action will be of a very despotic nature.

THE MARQUESS OF SALISBURY: If it was permissible with the householders I should appreciate the argument of the noble Lord more; but if it is permissible on the part of the London County Council to put what fire place they like into my house for the purpose of stimulating invention, my experience may be exceedingly various and disagreeable. We shall have people in the street meeting each other and saying that they are unable to get their dinner or to live in their

houses because their chimneys smoke. "What is the difficulty with you?" "Oh! the London County Council is stimulating the invention of Captain A. in my house," or "Oh! the London County Council is stimulating the invention of Mr. B. in my house," and so on. I am afraid with that strong sympathy with intellectual experiments that the London County Council has shewn, we may be in a very terrible condition with the various grates which in various parts of London we shall use. The noble Lord of course has other sympathies with London property than those which are experienced in the use of a grate; and I daresay he does not feel so keenly as the ordinary householder will feel if he is handed over to the London County Council in this summary way by your Lordships' House. I would urge therefore that the clause, at all events, be struck out now. If the Standing Committee can think of any other way of introducing a reformed kind of grate, with due consideration for the liberty of the subject, I will not offer any objection.

*THE EARL OF SELBORNE: My Lords, I cannot help observing that this clause as it stands is anything but permissive. The only thing it permits is that the London County Council *may* make bye laws. When made, those bye laws will be absolutely compulsory. And there seems to be an inconsistency between such a clause and the proviso at the end of Clause 4 which your Lordships have passed, that they may not go into any dwelling to see whether the bye laws are complied with or not. How you can observe from the outside whether a particular form of grate is in a fire place or not I do not know.

THE EARL OF KIMBERLEY: My Lords, I am a great advocate of the Standing Committee; but the questions raised under this Bill are really hardly questions for the Standing Committee to deal with. They are questions of policy and questions of knowledge of what can be done, and, without any evidence on the subject and more information than we possess, which I am sorry to hear we are not likely to get in the form of a Committee, I am rather at a loss to know how the

Standing Committee can effectually deal with such a Bill as this. We can practically destroy the Bill by omitting all the stringent provisions in it; but that will not be a very satisfactory operation; and I do not think anyone has yet suggested a practicable means by which the thing can be done. If anyone can suggest such practicable means I suppose there is no noble Lord in this House who would not be eager to adopt and facilitate the passing of the Bill. But in our present state of knowledge on the subject I think we should be exceedingly ill-advised if we get into the Standing Committee.

THE MARQUESS OF SALISBURY: I must apologise to your Lordships for speaking again; but I want to explain why I think the whole Bill should go to the Standing Committee. This clause, at all events, I think we had better reject; but, apart from this clause, the Bill is wholly a Bill directed against black smoke: and I should be very glad that the Courts should exercise their ingenuity upon a discovery of what black smoke is. But I do not believe that there would be much interference with the ordinary householder who emits grey smoke and not black; and those powerful manufactories that drive black smoke into the London air may I think be fairly required to consume their own smoke.

THE EARL OF KIMBERLEY: I have not looked recently into the matter; but I thought that manufactories and steamers were dealt with by an Act already existing; but that is not what my noble Friend behind me aims at. I do not say it is not a proper subject to be considered. What the noble Lord aims at is the black smoke that comes out of large institutions like clubs and large hotels.

*LORD STRATHEDEN AND CAMPBELL: My Lords, although I hope to be able to concur with the view of the noble Lord the Secretary of State for India, I should wish the House to be under no misapprehension as to this clause. It relates merely to future constructions; it will give no right by any bye laws to the London County Council to enter an existing domicile. It is merely to give them supervision over houses in the course of being

erected: and that is the answer to the charge of inconsistency suggested by the noble and learned Lord (Lord Selborne). I wish merely to explain to your Lordships that this clause originated in one by which it was proposed to give a power of that sort to the Metropolitan Board of Works. During the existence of that Body it was thought that they might, without much hazard, exercise a function of this sort upon buildings in course of construction, and, when the Metropolitan Board of Works wholly disappeared, the power was merely transferred to the London County Council, which I think was originally created, not for some of the great purposes it aims at, but simply to replace the vacancy caused by the disappearance of the Metropolitan Board of Works. I concur entirely with and accept the language of the noble Duke; but in spite of doing so, as I certainly never held that this clause was essential to the purpose of the Bill, which is to restrain the smoke of actual houses, I will not venture to divide the House against the conclusions of Her Majesty's Government upon it.

Motion agreed to.

Clause 8 negatived.

Bill reported with Amendment, and re-committed to the Standing Committee.

TECHNICAL AND INDUSTRIAL INSTITUTIONS BILL [H.L.]

SECOND READING.

Order of the Day for the Second Reading, read.

LORD MACNAGHTEN: My Lords, the object of this Bill is to facilitate the acquisition of sites for institutions which are now commonly known as Polytechnics, by enabling limited owners to convey settled land for the purpose, either by way of sale or free gift. My Lords, I think I can best explain the character of the measure, and the necessity for legislation on the subject, by referring very briefly to the circumstance which has given rise to the introduction of this Bill. A Member of this House is desirous of giving an acre and a quarter of land at

Clerkenwell, held under a settlement, for the purpose of founding an institution to be attached to, and form part of, a larger institution known as the City Polytechnic, for which the Charity Commissioners have already settled a scheme. It has been found impossible to carry out the generous intentions of the donor, either under the powers of the settlement under which the land is held, or under any existing Act of Parliament. As regards the defect in the powers of the settlement, I do not think that is to be wondered at. Settlements of large estates in London very commonly contain powers enabling limited owners to give plots of land for public purposes, or *quasi*-public purposes; but Polytechnics are institutions of such modern growth that they have not found their way into settlements, at least to any large extent. The same observation applies to legislation. There has been no legislation upon the subject of late years. The only Act that touches the question is the Literary and Scientific Institutions Act, 1854, which was passed nearly 40 years ago; but it has been found impossible to proceed under that Act. In the first place the purposes to which that Act are directed are not sufficiently extensive,—and it will be sufficient for me to say that they do not include technical training; in the next place the area is too small,—it is only an acre, and, although it is nearly large enough, I am told it is not quite large enough for all the purposes which are comprehended in a Polytechnic institution; and, lastly, that Act contains a clause of reverter, providing that, where land has been acquired by gift, in case the land should not be used for the purpose for which it shall be given it shall revert to the donor or his representatives. That clause of course would prevent public money from being spent in the erection of buildings upon the site, and it also would prevent the large London Companies, who take a great interest in this movement, from giving sums of money for the purpose. Under those circumstances it became a question whether an application should be made to your Lordships by way of a Private or a Public Bill; and those interested in the move-

ment have thought fit to take the latter course, relying on the deep interest which your Lordships always take in the welfare of the poorer classes, and in anything that tends to make their lives happier and brighter. My Lords, I trust you will give a favourable consideration to the Bill; it is an extremely simple Bill. In the first place it defines those objects which are usually comprehended in a Polytechnic; then it provides for the Governing Body; and then it incorporates those clauses of the Lands Clauses Consolidation Act which are not compulsory. The area with which the Bill deals is two acres, and the Bill from first to last is wholly a permissive measure. With these remarks I move that the Bill be now read a second time.

Moved, "That the Bill be now read 2^a."
—(*The Lord Macnaghten*.)

***LORD THRING**: My Lords, I certainly approve of the object of the Bill, and I have no doubt that the noble Lord has brought it in with the best possible intentions; but I submit to your Lordships that it would require most careful revision in Committee. There is one clause which I must give notice to the noble Lord that I shall move to have struck out,—that is, the clause that enables the lord of the manor, as I read it, to give away either waste land or commonable land, thereby destroying and extinguishing the rights of the commoners. I cannot conceive that such a clause is in the slightest degree necessary for the objects of the Bill; and it is really one of the most unjust clauses that I can imagine. The Bill uses the term "commonable or waste lands"—what will be the effect? There are waste lands by the sides of the roads, on the borders of commons, which add extremely to the amenity of the common or road; yet these are to be given up by the lord of the manor, who really has no pecuniary interest in them at all. And then, my Lords, imagine what will be the case in villages! This clause will enable the lord of the manor to give up the village green, and to have a swimming bath or a gymnasium erected; for the terms defining what is meant by an "institution" are so wide, that they include almost every description of

Lord Macnaghten

building connected with trade or science. Surely the noble Lord does not intend to give such a power? And then again, with regard to two acres, there is no limit whatever. Conceive what it is! An old man like myself has property in London; I can give away at my age, to the detriment of my successor, two acres of land in London, worth a vast amount, for the purposes of a Polytechnic! Surely, my Lords, there ought to be some restriction upon so large a measure as this. I fully admit that the intentions of the noble Lord are extremely good; but I submit to him that this Bill will require very great revision, and I trust he will allow the clause with respect to commonable land and waste lands to be struck out.

THE EARL OF KIMBERLEY: Before the noble Lord answers, might I ask a question for better understanding exactly the effect of the Bill? I see that it incorporates the Lands Clauses Consolidation Act; but I see that in the Act of 1854 (I am expressing no opinion upon the policy of that Act) the rights of the remainderman are absolutely guarded; because the words are in the first clause: that no such grant shall be made by any person seised, only for life of and in any such manor or lands, unless if there be any person next entitled to the same in remainder, in fee simple, or fee tail, and if such person be legally competent, he shall be a party to and join in such grant. I merely wish to know whether the effect of this Bill will be to remove that condition. If it does remove that condition, it is an enactment as compared with that of 1854 that is entirely novel. If it contains the same condition the precedent of the Act of 1854 is followed. But I should like to know what is the intention of the Bill.

LORD MACNAGHTEN: In that respect I think the Bill does go considerably beyond the Act of 1854; but it has become more and more the practice now to consider the tenant for life as in point of fact representing the whole inheritance. Of course the subject will be for your Lordships' consideration in Committee. But with regard to the matter to which my noble Friend (Lord Thring) referred, I

may say that that very clause to which he has taken so much objection is to be found in the Act of 1854. At the same time, I do not know that it is by any means a necessary provision of the Bill; and I should be very glad to omit it.

THE EARL OF KIMBERLEY: Perhaps I may be allowed, as I only asked for information before, to make some observation now upon the subject. No one can be more desirous than I am to relax in any reasonable way the fetters which entail presses upon life owners and settlement; wherever it is necessary there should be full power to part with land for a consideration, I am, as much as any man, in favour of relaxing those fetters, and enabling land to be dealt with in the same way as it might be dealt with by an owner in fee. But it certainly becomes a very different thing indeed when you are going to allow an owner for life, who may be only owner of a certain portion of what I will call the value of the estate, to give away a large portion of that value without consideration, because in that way he is dealing with property that is not his own. If he sells a portion of the property on grounds of public policy, I think he might rightly disregard the wishes of the remainderman, that is to say, that the remainderman, because he wishes the property to be preserved in a particular form should not be allowed to stand in the way of that property being used for some public purpose, due compensation being given, as in an ordinary case of an owner of a fee simple, for the value of that property, and that property being thereby preserved for the person entitled to it. But it is a very different thing indeed to allow the owner of what is only a particular portion of the value of the property to give away a considerable portion of it which belongs to another man. This is not a slight matter, my Lords, because four acres (and this Bill provides that as much as four acres in any one city may be given away) may represent property of very great value indeed, and it might easily happen that the owner of the life estate might be on bad terms with the remainderman and

might think it a very nice way indeed of, in fact, defrauding the remainderman of all his property. Four acres might in a town like this represent £40,000 or £60,000, or a great deal more; in an ordinary town it would represent very nearly £10,000; it may be in point of fact the whole of the remainderman's property. But supposing the owner of the life estate wishes to deprive the remainderman of his property, he has only got to make a present of four acres to some institution: And the institutions which are included in the Bill are also so numerous that he would have no difficulty in giving an acre here, an acre there, and two acres in another place until the whole of the property was exhausted. As I have said, I do not in the least desire that the rights of property should stand in the way of property being used for public purposes; but I think it is necessary to pause before we give such very extensive powers as this Bill proposes. Might I add one single word to say that I am very glad that the noble Lord is ready to make a concession about commons. It is true that there is such a clause in the Act of 1854 as the clause in this Bill; but since 1854 the public feeling with regard to commons has entirely changed; what in 1854 would have been thought a most harmless clause would now be thought by the public a most injurious clause; therefore I am very glad that clause is to be omitted.

LORD MACNAGHTEN: My Lords, I quite admit the force of what my noble Friend has just now said. And with regard to the other criticisms, with which I sympathise to a great extent, I think there would be no great difficulty in introducing some provision that would guard against the powers of the Act being improperly used to the detriment of the remainderman.

Motion agreed to; Bill read 2^a accordingly, and committed to a Committee of the Whole House on Monday next.

POOR LAW (IRELAND) AMENDMENT BILL.

Read 3^a (according to order), and passed.

LABOURERS (IRELAND) ALLOT-
MENTS BILL.

Amendment reported (according to order); and Bill to be read 3^a on Monday next.

HARES BILL.

Amendment reported (according to order); and Bill to be read 3^a Tomorrow.

House adjourned at ten minutes
past Five o'clock.

HOUSE OF COMMONS,

Thursday, 31st March, 1892.

PRIVATE BUSINESS.

EASTBOURNE IMPROVEMENT ACT,
1885, AMENDMENT BILL.

*(3.8.) ADMIRAL FIELD (Sussex, Eastbourne): I do not want to take up the time of the House unnecessarily, neither do I wish to move an unnecessary Instruction—

MR. CALDWELL (Glasgow, St. Rollox): I rise to order, Sir. I understand this is an opposed Motion, and if so should it not be put off?

*ADMIRAL FIELD: It came on last Thursday.

MR. H. H. FOWLER: It was fixed last Thursday, by Order, for to-day.

*ADMIRAL FIELD: If I get a definite assurance that this Instruction is not required I will not proceed. I have done my best to ascertain from the authorities of the House a definite opinion, but I have found differences of opinion. The right hon. Gentleman (Mr. H. H. Fowler) tells me in consultation that he thinks the Instruction unnecessary; but, Sir, I make bold to say that we cannot act on thought or supposition in these matters; we must have a definite statement that the Instruction is necessary or it is not if the Committee are to direct their inquiry to this point. Now, I think it will be seen that this House, having read the Bill a second time by a large majority, referred

it to a Special Committee. The Bill proposes to repeal a clause giving the Eastbourne Authorities power to prohibit bands and Sunday processions. If that clause is repealed something must be inserted in order to regulate these processions if they are to be allowed—as to when they shall take place, when the bands shall play, and for what duration of time. Of course, I am aware that it has been said that the Municipal Corporations Act gives ample powers to frame bye-laws; but the Eastbourne Authorities have already framed bye-laws, and they have been disapproved. It appears to me that some Instruction is necessary. I have consulted with the right hon. Gentleman opposite (Mr. H. H. Fowler), and he made a suggestion which I want to embody in an Instruction, not the words as they stand on the Paper, but simply these:—

“That it be an Instruction to the Committee to whom the Bill is referred that they have power to inquire and report whether any further or other special provision with respect to processions on Sunday in Eastbourne should be inserted in the Bill.”

Now, if the instruction is not necessary, I do not want to move it; but, at all events, it can do no harm, it only suggests inquiry. If the Committee say nothing more is required, then there is an end of it; but if they find that something more is required, then they have power under the Instruction to insert a clause. All I ask is that it shall be placed beyond doubt that the Committee have the power, and that I think is a very modest request. The right hon. Gentleman has a giant's strength. I ask him to use it with some consideration. He has an enormous majority in numbers, though the strength of logic is on our side, and I think he can afford to use his strength with a little mercy and consideration towards the feelings of other people. We desire nothing extreme; we only ask that the Committee may, if they think fit, give some power of control over these processions in the Bill.

MR. H. H. FOWLER: Does the hon. and gallant Gentleman strike out the last words?

*ADMIRAL FIELD: Yes. I substitute the words I have read. I meet the right hon. Gentleman's views; he sug-

rested the words after provision "with respect to processions on Sunday in Eastbourne." If the right hon. Gentleman accepts this, he will save a lot of trouble and another Division, for I shall be forced to divide. The Instruction can do no possible harm, while it will resolve a doubt which the right hon. Gentleman admits does exist, whether the Committee will consider this within the scope of their inquiry. With all his Parliamentary experience and his honourable position as Privy Councillor, the right hon. Gentleman can only say he thinks the Committee will have the power, but I say we cannot act upon that thought. I applied to the Chairman of Committees, and he could not give me a definite, positive, downright answer, and I have had a consultation with you, Sir, to which I have no right to refer. I once more appeal to the right hon. Gentleman to accept the instruction which I now move in the amended form.

Motion made, and Question proposed, "That it be an Instruction to the Committee to whom the Bill is referred that they have power to inquire and report whether any further or other special provision with respect to processions on Sunday in Eastbourne should be inserted in the Bill."

(3.13.) MR. H. H. FOWLER (Wolverhampton, E.): This is practically a question of form; it has nothing to do with the right, or what the hon. and gallant Gentleman calls the strength, of a majority. We want the Bill to go to the Committee to be dealt with in the regular and usual manner. Of course, when I came here to-day I had simply to deal with the Instruction in the Paper by which the Committee were to "secure the peaceful observance of Sunday in Eastbourne," and that instruction I should have offered the most decided opposition; for if the Committee were to be set the task of inquiring how the Sunday should be observed in Eastbourne, that would mean a very protracted, and however interesting, a profitless inquiry. Now, the simple question is whether the instruction is necessary or not. I perfectly agree with my hon. and gallant friend that it will be the duty of the Committee to go into the question of Sunday processions in Eastbourne, for

that is the object of putting in the Bill before them the repeal of the clause by which processions on Sunday in Eastbourne are prohibited. Therefore, it appears to me, unless a higher authority tells me it is not so, that it is the absolute duty of the Committee to consider the whole question of procession on Sunday in Eastbourne. There is no difference of opinion between us, and I say that what my hon. and gallant Friend wants is already referred to the Committee as a matter of Parliamentary procedure. I am very much of the opinion expressed by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) last week in reference to the multiplication of Instructions to a Committee where they already have the power. It is getting in an indirect way the expression of an opinion from the House on a matter before the inquiry is held. I wish to keep nothing from the Committee. I believe my hon. and gallant Friend and myself are Members of the Committee, and we are anxious that the inquiry shall be as full and complete as possible. I am perfectly willing to be guided by the Chairman of Ways and Means. If he says the Committee without it cannot entertain this question, then I will most reluctantly consent to the Instruction. But if he says it is unnecessary, and that all my hon. and gallant Friend desires can be obtained without it, then I hope he will not put the House to the trouble of dividing.

(3.20.) THE CHAIRMAN OF WAYS AND MEANS (Mr. COURTNEY, Cornwall Bodmin): After the appeal made to me I am bound to say a word, although my authority has been overrated. I cannot control the Committee; I can only express an opinion as to what the Committee ought to do. The Committee is charged not only with the duty of deciding upon the Bill as it stands, and whether the Preamble is proved, but with inquiry into clauses. They are charged with the greater question: whether the present power in the Local Authority should be preserved, and if charged with that greater question surely they are charged with the lesser question whether the power should be preserved under limited conditions. I am clearly of opinion that

the Instruction is not necessary, because it is within the power of the Committee to do what the hon. and gallant Gentleman desires they should do.

*(3.21.) MR. J. G. TALBOT (Oxford University): But I would ask, what can be the harm of sending the Instruction? This, remember, is not a Private Bill of an ordinary kind; it is a Bill to repeal a single clause, and I can quite understand the Chairman of a Committee ruling that the Committee have no right to go into extraneous matter. It might be urged that the Committee had no power to go into other matters, such as whether the bands should be allowed to play in some streets and not in others, which, I believe, is the present state of things in Brighton—a parallel case to Eastbourne. I can quite imagine that with such a peculiar Bill as this is the Committee might so strictly interpret its duty that the matters my hon. and gallant Friend wishes to introduce might be excluded from consideration. I cannot quite understand the right hon. Gentleman's (Mr. Fowler's) objection. He says it can be done without an Instruction. My hon. and gallant Friend doubts that, and I understand he has appealed to the highest authority in the House, and the highest authority stated—I am not violating any confidence—that it is, at least, a doubtful matter. Well, if that is so, why not agree to the Instruction? I do not wish to make any unpleasant suggestion, but it looks as if the right hon. Gentleman (Mr. H. H. Fowler) is afraid of what might be done under the Instruction. I shall certainly support what I consider a most reasonable Instruction.

*(3.25.) MR. C. S. PARKER (Perth): The Chairman of Committees has stated with authority the general practice, but this Bill appears to me to present a very special case. In general it is the duty of a Committee to go into the whole question to find if the Preamble of a Bill is proved, and, *à fortiori*, they may go into minor questions and say if other provisions should be introduced. But the present Bill is one of a very peculiar nature. It is to repeal a clause in a Private Bill, and, looking at the very large majority by which the Second Reading was carried, no

Committee would feel itself entitled to do anything at all approaching to a reversal of the decision of the House. I think, therefore, that Members of the Committee would feel some difficulty as to whether they were really at liberty to consider an alternative provision against noisy processions. They may remember what the Home Secretary has said as to the sufficiency of the ordinary law. Yet, looking at all that has happened—the amount of public opinion excited and canvassed, looking at the Public Petitions presented, and I may mention one from the Town Council of Perth, in favour of some means being given to the Corporation to maintain quietude on Sunday—I think Members will feel—even those who voted for the Second Reading of the Bill—that it is desirable that the Committee should go into this question. The only doubt is whether they can do so without an Instruction, and, that being so, the right hon. Gentleman might, after the concession made in the form of the Instruction, agree that it shall be sent to the Committee.

*(3.27.) MR. BARTLEY (Islington, N.): As one of those having the doubtful distinction of being a Member of this Committee, I should like to have some definite Instruction. If we prove the Preamble we simply pass the clause; and if we do not prove the Preamble, we upset the decision of the House expressed by an overwhelming majority. It therefore seems to me it is an exceptional case, remembering also that this has not been treated as an ordinary Private Bill, but has been referred to a Hybrid Committee for special consideration. Since, therefore, there is this doubt it should be set at rest by some such reasonable compromise as is presented by the Instruction in its amended form.

(3.27.) ADMIRAL FIELD: Perhaps, Sir, by the indulgence of the House, I may be allowed to appeal to you to settle the matter. The whole thing is in a nutshell. May I ask you to express your opinion upon it?

*MR. SPEAKER: With unqualified respect for the opinion expressed by an authority in the House, I think, after hearing the doubts expressed on both sides of the House, it will be far better to send the Instruction to the Committee.

The Bill repeals a clause in the Eastbourne Act in reference to processions on Sundays; and if the Committee or Chairman have any doubt as to whether their power extends to making any regulation on the subject for the peace of the borough, I think it would be far better that there should be an expression of the opinion of the House that they have that power to inquire into the question. It is not a mandatory Instruction; it is only a declaration that the Committee have the power, and, under the circumstances, I think it is expedient that the Instruction should be given.

(3.28.) MR. H. H. FOWLER: After that expression of opinion, Sir, I do not hesitate to say I do not feel justified in opposing the Instruction.

Motion agreed to.

Ordered, That it be an Instruction to the Committee on the Eastbourne Improvement Act, 1885, Amendment Bill, that they have power to inquire and report whether any further or other special provision with respect to Processions on Sunday in Eastbourne should be inserted in the Bill. —(*Admiral Field.*)

LOCAL AUTHORITIES AND TRAMWAYS —STANDING ORDER.

(3.29.) THE CHAIRMAN OF WORKS AND MEANS (Mr. COURTNEY, Cornwall, Bodmin): The proposition I have to submit to the House deals with a matter of some importance, and it is well that I should state its object and effect; after which the Debate can be adjourned if desired. Under the Tramways Act of 1870 there are, as is well-known, ample powers given to Local Authorities to take over tramways after they have been in operation 21 years. But that power is accompanied by the provision that no Local Authority shall place carriages on such tramways or demand the payment of rates and tolls for the use of such. Although there is no express prohibition, we may conclude, from the words of the Statute, that it expresses the mind of Parliament that Local Authorities shall not work tramways. Standing Order 171 goes further, and prohibits powers enabling a Municipal or other Local Authority to work any tramway. Now, several Authorities have come to the House this Session with a desire to make and work tramways, and the House

will remember we discussed the question of such a tramway on Westminster Bridge. But it was said by the representatives of the London County Council that the Council had no intention of working the tramway; but they felt it necessary to ask for the power in order that they might be in a position to make a proper bargain with the Company to whom they proposed to lease the tramway. I believe the other Authorities applying for powers are of the same mind. They do not wish to work tramways, except in far as may be necessary to enable them to bargain freely with Tramway Companies. It has been represented that without such power the Local Authority would be at a disadvantage in negotiations with the Tramway Company, for the latter might say, "Unless you agree to our terms your capital invested in the tramway will remain unproductive, for you cannot work the line, and it cannot be used at all." Corporations, therefore, have urged that there should be power, at all events, for the Local Authority to say they will work the tramway themselves, failing to come to reasonable terms with any Company that they may keep the latter at arm's length, so to speak, in carrying on negotiations. I therefore propose to the House that the Standing Order which prohibits the working of tramway by a Local Authority shall be amended, so that a tramway may provisionally be worked by such Authority, adding, however, a provision—

"That if at any time during such working by the Local Authority any company make the Local Authority a tender in writing to take a lease of and to work the tramways for such period (not being less than seven years unless the Local Authority shall otherwise agree) at such rent and upon such terms and conditions as shall in the opinion of the Board of Trade be adequate and proper,"

then the working of the line by the Corporation shall cease. This will release Local Authorities from all difficulty they find themselves in from the present restrictions, and enable them to conduct a free and open bargain.

Standing Order 171 read and amended by adding at the end thereof the words:—

"Provided that where any tramways have been constructed or acquired, or are authorised by the Bill to be constructed or acquired by the local authority, the Committee on the Bill may, if they think fit, under the special circumstances of the case insert a clause to the following effect:—

If the local authority are unable to demise the tramways upon such terms as in the opinion of the Board of Trade will yield to the local authority an adequate rent therefor, the Board of Trade may grant a licence to the local authority to work such tramways, and the local authority may thereupon work the same, and may provide such plant, materials, and things as may be requisite or convenient therefor; and in such case all enactments relating to the working of the tramways and the taking of tolls and charges therefor shall extend and apply *mutatis mutandis* to, and in relation to, the local authority: Provided that if at any time during such working by the local authority any company make to the local authority a tender in writing to take a lease of and to work the tramways for such period (not being less than seven years, unless the local authority shall otherwise agree) at such rent and upon such terms and conditions as shall in the opinion of the Board of Trade be adequate and proper, and such company at the same time offer to purchase the horses, cars, engines, and fixed and movable plant of the local authority not included in such lease, at a price to be fixed, unless otherwise agreed on between such company and the local authority, by a competent valuer, to be appointed by the Board of Trade; then upon payment of such price, the local authority shall demise the tramways to such company at such rent and upon such terms and conditions, and the powers of the local authority to work the tramways shall cease and determine.

And the Committee shall report the circumstances specially to the House."—(*The Chairman of Ways and Means*.)

BILLS FOR INCORPORATED RAILWAY COMPANIES.

(3.35.) Mr. COURTNEY: My next proposal deals with a very different matter. Under the existing Standing Order 166A, every Committee to which a Railway Bill is submitted is required to incorporate with the Bill a clause providing that the rates and charges shall be subject to the Railway and Canal Traffic Act, 1888. Now, as is well known, these rates and charges have been subjected to much examination and revision during the last two years. The rates for several leading companies have been thus revised, and it has been thought it will be more convenient if the Committee, instead of adopting the clause under this Standing Order, adopt the rates and charges scheduled for the principal railway in the area into

which the promoters intend to carry their new line. It will be observed that this is proposed experimentally for the Session, and the Committee will depart from the Standing Order 166A only when they think fit to do so.

Ordered, That it be an Instruction to Committees on Bills of the present Session for Incorporating Railway Companies, that they be at liberty, if they think fit, to omit the Clause required by Standing Order 166A in any case where they shall be of opinion that rates and charges in respect of merchandise traffic can be conveniently and properly fixed by reference to any Schedule already sanctioned by a Rates and Charges Order Confirmation Act.—(*The Chairman of Ways and Means*.)

QUESTIONS.

SCOTTISH BOARD SCHOOLS.

Dr. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether any, and, if so, how many, School Boards in Scotland, besides the Port Glasgow School Board, were appointed under Article 13 of the General Order of the Scottish Education Department, dated October, 1890, recently declared by the Court of Session to be *ultra vires* of the Department, and illegal; and, in case of the existence of any such School Boards, if he would state which they are, and what steps the Department proposes to take with respect to them?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I understand that 68 School Boards, besides that of Port Glasgow, were appointed under Article 13 of the General Order, and the Department have issued, or are about to issue, orders of nomination in all these cases under the powers conferred upon them by Section 13 of the Education (Scotland) Act of 1872.

Dr. CAMERON: The right hon. Gentleman has not answered the last part of my question, which are the School Boards appointed under Article 13?

*Sir C. J. PEARSON: I have not the list with me, but I shall be happy to supply the hon. Member with it.

Dr. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether, since he announced the inten-

tion of the Scottish Education Department to nominate as a School Board for Port Glasgow, in place of the School Board declared illegal by the Court of Session, the members of that Board and persons nominated by them, he has received any remonstrances from Port Glasgow, through its Parliamentary Representative, against the proposed course; and whether it is proposed still to adhere to that course, or to order the election of a new Board?

*SIR C. J. PEARSON: Since making the announcement referred to, I have had a conversation with the hon. Member for Kilmarnock Burghs, and have seen a letter from him to the Secretary of the Department to the effect referred to. The order of nomination has now been issued.

DEATHS OF NUNS IN CONVENTS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Secretary of State for the Home Department if he can state how many deaths of nuns in convents in the United Kingdom have been registered by the Registrar General during the last 20 years; how many of those deaths have taken place in convents whose inmates never are outside their walls; and whether any, and, if so, how many, inquests have been held in the convents of the United Kingdom during the same period?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): The Registrar General informs me that he has no means of supplying the information for which the hon. Gentleman asks. Deaths in convents in England and Wales are required to be registered under precisely the same rules as all other deaths which occur in private houses, and are not distinguished from such deaths in the statistical records of the office. I am unable, also, to answer the third paragraph of the question.

MR. SEXTON (Belfast, W.): With reference to the extraordinary form of this question, and the sinister suggestion contained in it, I beg to ask the right hon. Gentleman whether he is aware of any reason for thinking that there are more deaths in convents requiring inquests than occur outside?

MR. MATTHEWS: I have absolutely no reason for thinking so.

ROYAL NAVAL ARTILLERY VOLUNTEERS.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War whether any decision has been arrived at as to the conditions under which it is proposed to employ the Royal Naval Artillery Volunteers in connection with harbour, coast, and river defence and if, having regard to the effort made by this force to bring themselves to a high state of efficiency, and the sacrifices to that end of the officers and members, every effort will be made to utilise them in connection with some existing corps, without compelling them to abandon the ships and quarters they have fitted for their training at such considerable cost?

*THE SECRETARY OF STATE FOR WAR (MR. E. STANHOPE, Lincolnshire, Horncastle): Where possible an offer will be made to the Royal Naval Artillery Volunteers to allow them to join, as complete companies with their own officers, existing Military or Volunteer Submarine Mining organisations. The number of companies which can be so accepted is, however, limited; and the details as to them will be notified very shortly. As the Naval Artillery Volunteers who accept this offer will become integral parts of the corps they join, they cannot retain separate headquarters from the rest of the corps; but it may be practicable to retain some of the present quarters as company or detachment headquarters.

APPOINTMENT OF SOLICITOR, INLAND REVENUE, EDINBURGH.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Chancellor of the Exchequer if he will explain on what grounds, on the retirement of Mr. Crole, late Solicitor, on 31st December, 1891, who had graduated in the office, the appointment of Solicitor, Inland Revenue, Edinburgh has been conferred upon Mr. Hamilton Grierson, advocate, who was called to the Scottish Bar in 1880, appointed Sheriff Substitute of Banffshire in 188

and transferred in 1890 to Aberdeenshire; whether, in making this appointment, regard was had to the representation to the Treasury by the Board of Inland Revenue, dated 27th December, 1890, that the Solicitor "be a lawyer who is in practice, and has been so for the preceding ten years," and the reply of the Treasury on 13th February, 1891, that the appointment "be confined to lawyers in actual practice, and of ten years' standing;" and whether, in view of the fact that Sheriff Substitutes are either expressly prevented from practising, or in fact cannot practise their profession owing to their compulsory residence within their Sherifffdoms, he can explain how, considering the disappointment of the reasonable expectations of promotions on the part of the staff in the Solicitor's office, this appointment has been made?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The appointment of Solicitor to the Department of Inland Revenue at Edinburgh was conferred upon Mr. Hamilton Grierson because very careful examination showed that he was, in the opinion of those most capable of judging, better qualified for the post than any other candidate. The greatest possible pains were taken to discover the best man for the post, and I have no reason to doubt that our efforts were successful. The hon. Member quotes certain extracts from Departmental correspondence. The letters from which he quotes have not, I believe, been published, and I am not aware in what manner the extracts have been communicated to the hon. Member, and by him to the public. The words which he quotes were not intended to exclude from this appointment lawyers engaged in legal employment of a judicial character. It is certainly not the case that any reasonable expectations of promotion to the post of Solicitor have been given to the staff of the Solicitor's office, either by the letters to which the hon. Member refers or in any other manner.

DR. CLARK (Caithness): May I ask if any Sheriff Substitute ever has been appointed to an office of the kind, and is it possible for the Sheriff Sub-

stitute in Aberdeenshire to do duty for the Inland Revenue in Edinburgh?

*MR. GOSCHEN: I am not able to say if there is any precedent, but I may say that I and my colleagues have taken great pains, and every point has been carefully considered in making the appointment.

DR. CLARK: In Committee on the Estimates I will call attention to this appointment.

DISTRESS IN INNISBOFFIN.

MR. CRILLY (Mayo, N.) (for Mr. FOLEY, Galway, Connemara): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that great distress prevails at present in the island of Innisboffin; that 20 or 30 families there are in actual want; and if, in view of this lamentable condition of affairs, he will urge the Congested Districts Board to undertake the completion of the pier in the east end of the island which was begun last year?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): No information has reached the Government of alleged distress on Innisboffin Island, but the Local Government Board have directed their Inspector for the district to inquire into the matter. Works at Rusheen Harbour on the island have, in completion of those undertaken for the relief of distress in 1891, been for some time in progress under a contractor.

MR. CRILLY: I may be allowed to say that we have it on the statement of the parish priest that certain families are in a state of want. Will the right hon. Gentleman suggest to the Department the necessity of inquiry of the parish priest?

MR. JACKSON: Whatever steps are necessary will be taken to ascertain the facts by the Inspector, who, as I have said, has been ordered to proceed to the district.

CLARE SLOB LANDS.

MR. COX (Clare, E.): I beg to ask the Secretary to the Treasury whether he is aware that the high tide on the night of 18th November, 1891, made a large gap in the Clare slob land reclamation embankment, causing serious danger to the navigation of the River

Fergus; and whether it is the intention of the Board of Works to repair the embankment, and complete the reclamation of the slob lands, on which a sum of £175,000 has already been expended?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): I am aware of the breach made in the embankment of the Clare slob reclamation by a storm which occurred on the 18th October, 1891. The Government, having carefully considered the matter, have decided not to incur further expenditure upon the undertaking. I should add, perhaps, that the outlay up to date has been £134,053, not £175,000.

MR. COX: Are we to understand that after an expenditure of £175,000, which the Board of Works bungled as they have bungled everything they have set their hands to, all this money is to be derelict, and be thrown away?

SIR J. GORST: Yes; I confess this money, £134,000, may be considered as thrown away, and it is not intended to spend any more in the same direction.

ENNIS POST OFFICE.

MR. COX: I beg to ask the Postmaster General whether he has received an influentially signed memorial from inhabitants of the town of Ennis, pointing out the great inconvenience to which a large number of the towns people and the travelling public are subjected to in consequence of the recent removal of the post office from the centre of the town to the outskirts, and asking to have a sub-office opened in some position near the site of the old one; and whether he will grant the request of the memorialists?

THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): Yes, Sir; and I am glad to inform the hon. Member that the need of such a sub-office is recognised, and it will be supplied as soon as possible.

WEYMOUTH TRUSTEE SAVINGS BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether, when the Weymouth Trustee Savings Bank closed recently, any representative of the Post

Office Savings Bank Department was allowed by the Trustees of that bank to be present to advise the depositors; whether the books of the Trustee Bank were handed over to a private bank at Weymouth, the deposits being transferred to such bank; whether he is aware that a man named Scorey claims the sum of £51 5s. 1d., deposited by his deceased wife so long ago as 1850, together with the interest accruing since that date, supposed to amount altogether to about £100; whether the manager or some other person in authority at the bank has declared that the money was long ago paid; and whether such sum or any sum could be legally so paid without the production and presentation of the deposit book of the depositor; and, if so, what security is there for the rightful disposal of the unclaimed sums in the hands of the Trustees of the Weymouth Bank at the time of its closing, or of any such bank in the United Kingdom?

***MR. GOSCHEN**: The Trustees of the Weymouth Savings Bank notified to the National Debt Commissioners on 30th November, 1888, their intention to close the Savings Bank. The bank was finally closed on 12th February, 1889, by a transfer of the deposits then remaining to the Post Office Savings Bank. On the list of deposits so transferred, amounting to £162 10s. 8d., there is no mention of any deposit in the name of Scorey, and the Commissioners have no knowledge of the facts contained in the question respecting this account; nor is it within their knowledge that the ledgers were handed over to a private bank at Weymouth. It is true, however, that the assistance of the Post Office Authorities was declined during the closing, and that in a circular to the depositors dated 15th November, 1888, it was stated by the Trustees that the depositors might (1) receive their money in cash after 14 days' notice, or (2) have the same transferred to the Post Office Savings Bank, where 2½ per cent. per annum is allowed, or (3) have the same invested at the Savings Bank Department of Messrs. Elliot and Co.'s bank, where 3 per cent. per annum will be allowed from the date of deposit. On 20th November, 1888, the number of deposits remaining unpaid was

1,203, and the amount £46,902 11s. 1d., and of these, 65 deposits in all were transferred to the Post Office Savings Bank, amounting to £4,125 18s. 5d.; but the Commissioners are unable to state how the remainder was disposed of. If there be any dispute between the Trustees and a depositor, or any persons claiming to be entitled to a deposit, the Barrister appointed under the Savings Banks Act of 1863 (for this purpose the Chief Registrar of Friendly Societies) is empowered by the 48th Section of the Act to decide upon the matter in dispute, and he would doubtless take into consideration the legality or otherwise of the payment of a deposit without production of the pass-book.

MR. HOWELL: May I ask whether the books when closed were handed over to the National Debt Commissioners? Is there any means of ascertaining what the outstanding liabilities may be?

*MR. GOSCHEN: I understand the books were not handed over to the Post Office Savings Bank. If the hon. Member wishes for further information I will give it to him privately or across the floor of the House, as he pleases.

AMERICAN MAILS CONTRACT.

MR. LENG (Dundee): I beg to ask the Postmaster General whether he is aware that on each alternate Thursday, from 30th April, 1891, to 26th November, 1891, a steamer not carrying mails by contract left Queenstown at the same time as the mail steamer, and arrived at New York on every passage from 28 to 48 hours earlier; whether the same system of sending the mails every alternate Thursday by a slow steamer has already begun this year with similar results; and whether, in the interest of the public, and especially of the commercial classes, he will endeavour to arrange that Her Majesty's mails from Queenstown shall be sent in all cases by the fastest steamers?

*SIR J. FERGUSSON: The contract was approved by Parliament, and was the best obtainable at the time. If the public desire to use exceptionally fast steamers put on the line on the same day as the contract mail steamers,

Mr. Goschen

they have only to address their letters accordingly.

LINE-THROWING GUNS.

MR. LENG: I beg to ask the President of the Board of Trade whether reports have been brought under his notice of the wreck in December last of the *Benvenue*, off Sandgate, with the drowning of the master and four of the crew; and also of the wreck of the *Enterkin*, on the Galloper Sands, when 30 out of 31 of her crew were drowned, only an apprentice boy being saved; whether he is aware, in the case of the *Benvenue*, of three rockets that passed over the vessel, only one had any cord attached, and the crew discovered, to their dismay, that the other end was not secured to the shore; whether the Board of Trade has power to order that all sea-going vessels shall have amongst their life-saving appliances line-throwing guns, seeing that, firing with the wind, it is much easier to throw a line on shore, than firing against a gale, to throw it on board a vessel; and whether the Board of Trade has ordered, or will order, inquiries to be made into the losses of both the vessels named; and, if so, will, in accordance with the official notice issued by the Marine Department in April, 1884, direct attention to the question whether they were sufficiently manned?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have received reports with regard to the wrecks of the *Benvenue* and the *Enterkin* to which the hon. Member refers. In the case of the latter vessel 28, and not 30, lives were lost. I ordered a special inquiry into the failure of the rocket apparatus to save life from the *Benvenue*, and it is reported to me that the vessel was too distant from the shore for communication to be effected by its means. I believe that the extra strain on the lines due to the endeavour to reach the vessel caused them to break as they did. The Board of Trade have no power to order all sea-going vessels to carry line-throwing guns among their life-saving appliances. No formal inquiry has been held in either the case of the *Benvenue* or in that of the *Enterkin*, because the loss of life that occurred

has rendered it impossible to obtain sufficient evidence to afford any hope of a useful result.

MR. LENG: Will the right hon. Gentleman say if the Department have made any inquiry into these line-throwing guns, and are they prepared to make any recommendation respecting them?

SIR M. HICKS BEACH: They have been continually before the Department, but we are not prepared to make any recommendation regarding them.

THE GREAT SEAL FOR IRELAND.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a new Great Seal has been provided for Ireland; what has become of the old one; and whether, considering its historical interest, he will have it handed over to the Royal Irish Academy?

MR. JACKSON: I am informed that a new Great Seal is being made, but it is not yet completed, and so the question of the disposition of the old one does not yet arise.

REGIMENTAL CANTEN STORES.

MR. P. O'BRIEN: I beg to ask the Secretary of State for War whether the canteen committees of the various military stations in Ireland advertise for tenders for grocery and dry goods supply before giving the contracts to the Army and Navy Stores, London; and, if so, whether he can give the prices at which local traders were willing to supply, and the prices at which the contracts were given to the Army and Navy Stores Company; is it usual to take the opinion of the men before giving contracts for supply; and, if so, is it done in Ireland, and how is it obtained; and whether, quality and price being equal, he will see that a preference is given to local traders when the next contracts are closed?

*MR. E. STANHOPE: I am afraid I can only repeat the answer already given. The canteens are managed by committees, and the committees are free to obtain their supplies where they please.

MR. P. O'BRIEN: Will the right hon. Gentleman answer the second paragraph of the question, whether the men are consulted before a contract is given?

*MR. E. STANHOPE: No; it is left entirely to the committee to manage as they think proper.

THE DEATH OF P. W. NALLY.

MR. P. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Coroner was informed by the Governor of Mountjoy Prison, before the close of the inquest on the late Mr. P. W. Nally, that the five prisoners named by Mr. M'Auley in his letter published in the *Western People*, of the 12th inst., were anxious to be examined, and to give material evidence as to the cause of death, and the prison treatment of Mr. Nally; and, if not, will he allow the evidence which those prisoners were ready to give to be taken by some person independent of the prison authorities?

MR. JACKSON: The General Prisons Board report that the Governor of Mountjoy Prison did not inform the Coroner that five prisoners desired to give evidence at the inquest on the body of P. W. Nally; but the Governor informed the Coroner that any person under his control was at the Coroner's service as a witness. He did not specify any particular persons. Two of the convicts referred to in the question have since been released from prison.

MR. P. O'BRIEN: Does the right hon. Gentleman consider it a satisfactory state of things that the Coroner should be told this? How could the Coroner know that evidence would be forthcoming?

MR. JACKSON: So far as I am able to judge, it would be an unusual or an improper thing for the Governor to suggest that prisoners desired to give evidence.

MR. SEXTON: To make the matter clear I may say the man died, and five prisoners said they had material evidence to give. Why did the Governor not inform the Coroner that this evidence was available? How could the Coroner know unless informed? Does the right hon. Gentleman approve of the suppression of the fact that

these five persons had evidence to give?

MR. JACKSON: I do not think I can find fault with the Governor. I do not think that it is desirable, because prisoners desire to give evidence, they should therefore necessarily be called as witnesses.

MR. P. O'BRIEN: Is it not the usual course in Ireland if the police have any evidence to inform the Coroner, and, shut up in prison, how could these men make known the fact that they had evidence to give?

MR. STOREY (Sunderland): Is it not the invariable practice in this country for the police to put the names of witnesses before the Coroner?

MR. JACKSON: That is a question for the Home Office.

MR. P. O'BRIEN: I must press for an answer to my question.

MR. JACKSON: I have already answered the hon. Member.

MR. P. O'BRIEN: I respectfully submit my question has not been answered. How was the Coroner to know of this evidence when the fact was suppressed by the Governor? I shall take another opportunity of calling attention to this.

FEVER IN ST. JOHN'S WOOD BARRACKS.

MR. W. LOWTHER (Westmoreland, Appleby): I beg to ask the Secretary of State for War whether there have been any cases of typhoid fever amongst the officers at the St. John's Wood Barracks within the last three weeks?

*MR. E. STANHOPE: I regret to say that Second-Lieutenant Viscount Sudley was reported on 12th March as sick with enteric fever. There does not appear to be evidence that the disease was contracted in barracks, and I am glad to hear that the case is proceeding favourably. I may add that these barracks have been recently examined and no insanitary conditions have been detected.

WESTMEATH CONSTABULARY.

MR. D. SULLIVAN (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the total force of the Royal Irish Constabulary for the County

Westmeath; how many men are doing duty there at present; and how many extra men are still chargeable to the county?

MR. JACKSON: The total authorised force of the County Westmeath is 289 men, consisting of 266 free quota and 23 extra force, the latter being appointed on the requisition of the magistrates. There are at present serving in the county 278 men, who, in calculating the charge against the county, would be apportioned free quota 256, and extra force 22.

EXPRESS LETTER SERVICES.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether he is aware that the officials in the various post offices are required to fill up long and elaborate forms in connection with each express letter, and that the messenger delivering an express letter is required to obtain a receipt for it at the residence of the addressee; and whether he will provide for a simplification of the system, which shall save the time of the officials and obviate the necessity of giving receipts for express letters, so that the procedure shall be assimilated as far as possible to that observed with respect to telegrams, for which, on delivery, no receipt is demanded? I may add, is it not a fact that there are some 13 entries before the transaction is completed?

SIR J. FERGUSSON: One form only is used in connection with each express letter, and in it the following entries are necessarily made:—(1) of the address of the letter; (2) of the distance and the fee due for the same and for weight (if necessary); and (3) of the number and time of starting of the messenger taking the letter. The name and address of the sender are also entered, if he has no objection. These entries need not be either long or elaborate. The messenger is not required to obtain a receipt for the letter on delivering it. He is instructed to ask that the time of delivery may be entered in the form and attested by the signature of the recipient or of someone else at the place of address merely as a check against delay or dishonesty on his part; but the recipient need not, of course, do this unless he likes. The

check is useful both to the public and the Department, and no single person has ever complained of it; on the contrary, it is believed that tradesmen and others appreciate it as affording proof of delivery.

THE CASE OF JOHN DALY.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Secretary of State for the Home Department whether John Daly, who is under sentence of penal servitude for life at Portland Prison, has been suffering for many months from a painful and wasting complaint; whether the medical treatment to which he has been subjected has failed to afford him any relief; whether he has applied, by letter, to the Home Office praying that he may be permitted to receive a visit from an independent medical man; whether he has asked his friends and relatives to endeavour to obtain such a visit for him; and whether, considering the long duration of his illness, his request will now be granted?

MR. MATTHEWS: I am informed by the medical officer of Portland Prison that Daly has not suffered, and is not now suffering, from any wasting or painful complaint; and that medical treatment has invariably afforded him relief from minor ailments which from time to time have induced him to make application for medical aid. His present health is good, and he has gained in weight while at Portland. Daly has not within the last two years made any application to the Department to see an independent medical man. The Governor informs me that Daly has during his imprisonment asked his friends to obtain such a visit for him. He was visited by an independent medical man in March, 1887, and again in March, 1890. There appears to be no grounds at the present time for allowing a special medical visit.

MR. J. O'CONNOR: In reference to the last question, may I ask the Home Secretary whether he was not suffering from an entirely different complaint when he was specially visited by a special doctor on two former occasions; and whether, in consequence of the fact that this man

had been poisoned by the medical treatment of the prison, this is not a case for exceptional treatment, and in which the request made by the relatives might be granted?

MR. MATTHEWS: I have already told the hon. Member that there has been no complaint. If the hon. Member refers to the administration of belladonna, the effects of that were extremely temporary, and have entirely gone away.

MR. J. O'CONNOR: Will the right hon. Gentleman consider such a request if it is addressed to him?

MR. MATTHEWS: If there are any grounds for the request I will take it into consideration.

APPOINTMENT OF MEDICAL OFFICER TO THE ISLINGTON VESTRY.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the President of the Local Government Board whether he is aware that the Islington Vestry has, contrary to its own bye-law, appointed Dr. Wynn Westcott to the office of medical officer of health, Dr. Westcott having been, until 2nd March, a member of the Vestry and of the Public Health Committee; whether this appointment was made without previous advertisement, and against the votes of many members of the Board, including the Chairman of the Public Health Committee; and whether he will cause inquiry to be made before confirming the appointment?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I understand that the Vestry of the parish of Islington have appointed Dr. Westcott as medical officer of health as a temporary arrangement for six months, and that he was a member of the Vestry and of the Public Health Committee of the parish until the 20th February, but then he sent in his resignation. The bye-laws of the Vestry provide that no person shall be eligible for election to any paid office under the Vestry who is a vestryman within six months next before the election, but this bye-law, it appears, was suspended by another bye-law, which allows of such suspension if two-thirds of the vestrymen present vote for it. The

appointment was made without previous advertisement, and 45 members voted in favour of it, and 22, including the Chairman of the Public Health Committee, against it. I am in communication with the Vestry with reference to the proposal to make an appointment for six months.

THE BORROWING POWERS OF LOCAL AUTHORITIES.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether in any and what cases under "The Public Health Act, 1875," "The Local Government Act, 1888," or "The Allotments Act, 1887," a Local Authority has power to borrow money upon the rates of a larger area, such as a County or a Sanitary Authority, for the purchase of land or other purposes affecting a smaller area, such as a parish or contributory place, and to allocate the repayment of any instalments or balance of any such loan by charging the rates of such smaller area?

*MR. RITCHIE: The only cases of the class referred to appear to be those where moneys required to defray private improvement expenses or to execute works, for the purpose of which the Local Authority, under the Public Health Act, 1875, have divided their district, are borrowed on the security of the district fund and general district rate of the whole district, and when a County Council borrows on the security of the county fund for a purpose the expense of which must ultimately be borne as a special expense.

PUBLIC HEALTH AMENDMENT ACT.

MR. SEXTON: On behalf of my hon. Friend (Mr. JUSTIN MCCARTHY, Londonderry), I beg to ask the President of the Local Government Board when the Regulations made by the Board relating to Section 52 of "The Public Health Amendment Act, 1890," will be printed?

*MR. RITCHIE: The Regulations referred to were printed in July of last year, and were confirmed by the Queen in Council in September last. Copies are furnished to Local Authorities when they are required.

Mr. Ritchie

INFECTIOUS DISEASES.

DR. TANNER (Cork, Co., Mid): I beg to ask the President of the Board of Trade whether any, and, if so, what, regulations are in force with regard to cases of infectious disease rejected and sent ashore from emigrant and passenger vessels, after the inspection by the medical Inspectors to the Board of Trade, of passengers by outward bound ships; whether the medical Inspectors are required to report the matter to the Local Authorities; and if it is a fact that complaints have been made of occasional outbreaks of infectious and epidemic diseases in consequence of such cases going uncontrolled to common lodging houses, &c.?

*SIR M. HICKS BEACH: The matter to which the hon. Member refers is one rather for the Local Sanitary Authorities under the Public Health Act, 1875, than for the Board of Trade. The Board's Medical Inspectors report to the Local Authorities whenever (as in London, for instance) those Authorities ask them to co-operate by doing so; and I have directed that they shall in future report whether requested or not. I understand that no complaint has in recent years reached the Board of Trade of any outbreaks of disease having occurred under the circumstances stated by the hon. Member.

JUSTICES OF THE PEACE AT CAVAN.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether four gentlemen have recently been appointed Justices of the Peace of the County Cavan who are possessed of qualifications, but do not reside in the Bailieborough Union; whether, at a recent attempted election of a matron of the union workhouse, an equal number of votes were given to two candidates; and whether the gentlemen recently appointed Justices of the Peace will be entitled to vote at the adjourned election, or on any other occasion prior to the 29th September?

*MR. JACKSON: The Clerk of the Bailieborough Union reports that the names of four gentlemen who are non-resident Justices of the Peace have been recently placed on the list as *ex-officio* Guardians, making for the

union 16 elected and 16 *ex-officio* Guardians. I have no information as regards the second paragraph. Assuming that the gentlemen referred to possess the qualifications required for *ex-officio* Guardians by Statute, they will be entitled to take part in the proceedings at any meeting of the Board.

INSPECTOR BLACK, OF BIRMINGHAM.

MR. J. O'CONNOR: I beg to ask the Secretary of State for the Home Department have any allegations of a serious character reached the Police Authorities with regard to Inspector James Black, of Birmingham; did the Police Authorities take any steps to stop the public testimonials to Mr. Black which were on foot some weeks ago in Birmingham, and, if so, what was their reason for doing so; has the Home Office any authority over provincial Inspectors of Police such as Mr. Black; have such officers acted during the dynamite scare under the directions of the Home Office; and if the Home Office is not responsible for the provincial police, which Minister of the Crown in this House is so responsible?

MR. MATTHEWS: I must refer the hon. Member to the answer which I gave on this subject to the hon. Member for Waterford on Monday last, and to which I have nothing to add. Mr. Black, who has retired from the Force on the pension due to 25 years' service, has, as I have already stated, informed me that he proposes to take legal action to vindicate his character from certain defamatory statements which have appeared in the newspapers against him, and I must decline to express any opinion about them. The answer to the second and fourth paragraphs of the question is, as I am informed, in the negative. The Home Office has no authority over provincial Inspectors of Police. It is not responsible for the discipline or conduct of the provincial police. It is the Local Authorities, and not any Minister of the Crown, who are so responsible.

MR. J. O'CONNOR: The Home Secretary has not answered that paragraph of my question which asks—“Have such officers acted during the dynamite scare under the directions of

the Home Office; and if the Home Office is not responsible for the provincial police, which Minister of the Crown in this House is so responsible?”

MR. MATTHEWS: If the Gentleman had listened to my previous answer he would have seen I had replied to that question.

MR. P. O'BRIEN: May I ask the hon. Gentleman the Home Secretary is he aware that a distinguished member of the police, named French, in London made the same threats against the Press for exposing his misconduct which was subsequently convicted of an abominable offence in Ireland, and whether, bearing that in mind, he will take any further action in the matter?

MR. SPEAKER: Order, order.

TITHE RENT CHARGE.

MR. MORTON (Peterborough): I beg to ask the right hon. Member for the University, as Ecclesiastical Commissioner, whether, in the case of a tenant owner paying to the Ecclesiastical Commissioners for England and Wales the tithe rent-charge in respect of several tenants, who are under contracts bound to repay such amount to him, the Commissioners have instructed their tithe receivers to give the landowner separate receipts in respect of each tenant's tithe rent-charge; and whether, having regard to the serious difficulty of the landowner being able under such circumstances to satisfy each separate tenant the amount of such tithe rent-charge is due, and which amount, through the effect of the corn averages, varies from year to year, the Ecclesiastical Commissioners still intend to adhere to their resolution not to give separate receipts?

***MR. J. R. MOWBRAY (University):** The Ecclesiastical Commissioners have not instructed their receivers to refuse to give separate receipts to landowners in respect of each tenant's tithe rent-charge; on the contrary, the receivers have been directed to give every facility to the owners by furnishing as many receipts as may be required. If the hon. Member will furnish particulars of any case such as was suggested in his question, the matter will be investigated.

MR. MORTON: May I ask the right hon. Member is he aware that

Secretary has written a letter refusing to give separate receipts?

*SIR J. R. MOWBRAY: No, Sir; I am not aware of it. The Secretary has given me the information which I have given the hon. Member, and we cannot trace any case of the kind at all within the record or knowledge of anyone.

MR. MORTON: Has not the right hon. Member got the letter?

*SIR J. R. MOWBRAY: No.

CATHEDRAL CHURCHES AND CHARITIES.

MR. MORTON: I beg to ask the hon. Member for Exeter, as a Charity Commissioner, whether, since by the provisions of 5 and 6 Will. 4, c. 71, s. 16, the Collegiate and Cathedral Churches are exempted from inquiry as to the charities held by them, and as no inquiry has for many years been held, the Charity Commissioners will be prepared to bring up a Report to Parliament as to the advisability of an inquiry being forthwith held into all such exempted charities?

SIR S. NORTHCOTE (Exeter): The Act mentioned in the question expired in 1837, but if the question relates to the corporate property of the Church, as mentioned, which is specially exempted from the jurisdiction of the Charity Commissioners by Section 62 of the Charitable Trusts Act, 1853, it will be beyond the competence of the Commissioners to take any action in respect of that property unless authorised by Parliament to do so.

THE SUPPORT OF AN IMBECILE.

MR. BROADHURST (Nottingham, W.): I beg to ask the President of the Local Government Board whether he is aware that a labourer named Henry Mann, living at Winburgh, Norfolk, whose average earnings (in consequence of his being a cripple) do not exceed 6s. per week, has been ordered by the Mitford and Launditch Board of Guardians at their meeting on 21st March to contribute the sum of 1s. per week towards the support of his imbecile son, who is an inmate of the Mitford Union; and, if so, what steps he proposes to take to interfere in this case in the interest of Henry Mann?

Mr. Morton

*MR. RITCHIE: I have made inquiry of the Guardians respecting the case of Henry Mann, whose son is an inmate of the Mitford and Launditch Workhouse. I am informed that the Guardians do not admit that Mann's earnings are only six shillings per week, and they are making further inquiries as to his means. The Guardians are not empowered to make any order as to the payment to be made by Mann; but they have informed him that they will take proceedings against him before the Justices if he does not arrange to pay one shilling per week towards the cost of the maintenance of his son. In the event of proceedings being instituted by the Guardians, it will be a question for the Justices to determine whether Mann is of sufficient ability to make any payment towards his son's maintenance, and the Justices are only empowered to make such order as the means of the person would justify.

MR. BROADHURST: I would ask the right hon. Gentleman whether, if there is any additional evidence, he will give the case further consideration?

*MR. RITCHIE: Certainly, Sir. If the hon. Member has any additional evidence I shall be glad to consider it.

THE CASE OF MRS. OSBORNE.

MR. H. CAMPBELL (Fermanagh, S.): I beg to ask the Secretary of State for the Home Department has he kept in view that there may be more lives than one in jeopardy by the continued incarceration of Mrs. Osborne; is there no protection at law for the life of an unborn child in such circumstances, or is it ever afterwards to be subject to the odium of having been born in gaol; and can he, viewing all the facts, see his way to advise Her Majesty to graciously pardon Mrs. Osborne?

MR. MATTHEWS: I am aware of the circumstance to which the hon. Member refers. It is not the rule for female prisoners who are with child to be discharged from prison in order that their children may be free from the odium of birth in a prison. They are not discharged before confinement unless special medical reasons exist. Mrs. Osborne, like any other prisoner in her condition, is receiving, and will continue to receive, all possible care and medical advice. There is nothing

sufficient to justify at the present time any interference with the sentence.

MR. H. CAMPBELL: I would beg in addition to ask the right hon. Gentleman whether it is true that during the past year no less than 66 women were either released at once or had their sentences reduced as their confinement was approaching?

MR. MATTHEWS: If the hon. Member wishes any further information, I must ask him to be good enough to put the question on the Paper.

THE CROPS OF INDIA.

MR. SEYMOUR KEAY (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether the Government of India have complied with the suggestion made to the Government of India by the Secretary of State, as intimated to the House on 28th November, 1890, that a table of the average yield of the principal crops in the various districts should be prepared; and whether, if received, he will lay the same upon the Table of the House?

THE UNDER SECRETARY OF STATE FOR INDIA (MR. CURZON, Lancashire, Southport): These statistics have not been received yet. The Government of India hope to dispatch them by the end of July. When they arrive, the Secretary of State will consider the propriety of laying them on the Table.

STOCK AND PRODUCE IN IRELAND.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he would arrange to have the statistics of prices of stock and produce collected by the Irish Land Commission during the last year published, with abstracts and averages, in the form of a Parliamentary Return?

MR. JACKSON: I will inquire whether it is desirable to have this statement published. I do not see any objection to it myself if it is of any use, but it would be necessary to get information from the Land Commission on the subject.

MR. KNOX: I beg to give notice that I will repeat the question on Monday.

GALWAY COUNTY INFIRMARY COMMISSION.

MR. CRILLY (for Mr. FOLEY): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland at what date the Government Bill for carrying into effect the recommendations of the Galway County Infirmary Commission is to be introduced?

MR. JACKSON: The necessary notices to enable this Bill to be introduced were given at the end of last year. I am not at present able to say when the Bill will be introduced, as the question requires some consideration.

MR. CRILLY: Could my hon. Friend put another question on this matter?

MR. JACKSON: If he will be good enough to delay for a week, I will take an opportunity in the meantime of inquiring.

BELFAST CONSTABULARY BARRACKS.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the building work in connection with the new Central Constabulary Barrack for Belfast was begun; when the work on the men's quarters is likely to be completed; and when the stables and other works are to be commenced?

MR. JACKSON: The erection of the new Central Constabulary Barrack in Belfast was begun in April, 1891. This building should, under the terms of the contract, be completed by 1st January, 1893; but the Board of Works, judging from the present state of the building, are of opinion that it cannot be finished within the time specified. The other buildings and works of improvement in connection with the accommodation for the men, arranged for under the general scheme now being carried out, will probably occupy a further period of twelve months. Upon their completion the erection of the stabling will be proceeded with.

THE DISTURBANCES AT PORTADOWN.

MR. KNOX (for Mr. M. J. KENNY, Tyrone, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of

Ireland if he is aware that on St. Patrick's night, 17th instant, an Orange band, playing Party tunes, paraded the streets of Portadown, broke the windows of many of the houses inhabited by Catholics, and also assaulted and knocked down several Catholics in Castle Street and High Street; if application had been made to the Divisional Commissioner for a force of extra police in anticipation of disturbances, and refused; and if the police have made any arrests, or have instituted proceedings against persons concerned in the disturbances in question?

COLONEL SAUNDERSON (Armagh, N.): Before the right hon. Gentleman answers this question I would like to ask him whether the band in question was a flute and not an Orange band; whether it was not the case that no person was knocked down; and whether two panes of glass were not broken at a public-house belonging to a Protestant and two panes at a public-house belonging to a Roman Catholic, thus showing an impartial spirit; and whether the police prosecution was not withdrawn at the instance of Mr. O'Hanlon, a Roman Catholic Magistrate?

MR. JACKSON: I have no doubt the "glass" to which the hon. Gentleman refers had a good deal to do with the whole proceedings. The Constabulary Authorities report that it is the case that on the date mentioned bands played through Portadown, but not through the Roman Catholic quarter. Windows were (as I stated a few days ago in reply to a question put by the hon. Member for South Armagh) broken in six houses occupied by Roman Catholics and in one house occupied by a Protestant. The police did not witness any assaults, nor are they aware of any serious one; but it is alleged that some, apparently of a trifling nature, took place. The Divisional Commissioner and the local Magistrates in consultation decided that there was no necessity to bring a large body of extra police into the town; but the town establishment was strengthened by nine additional police from outlying stations. No arrests have been made, and no proceedings have been taken.

Mr. Knox

THE CHARACTER-NOTE SYSTEM.

MR. BROADHURST: I beg to ask the First Lord of the Admiralty whether the Admiralty Authorities have introduced the character-note system in respect to the employment of new hands in Her Majesty's Dockyards; and whether a man named Sullivan (a member of the Steam Engine Makers' Society) was recently discharged from Chatham Dockyard solely on account of a character-note from his late employers?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): It has been found necessary to introduce the character-note system in connection with the employment of new hands, in consequence of men having been entered at the dockyards who subsequently were found to have bad characters, and in one instance to have been convicted of theft. A man named Sullivan was entered on 11th March at Chatham as a fitter on probation, and was warned at the time that his retention was dependent upon the character that might be given by his late employers. It was found that Sullivan had left the service of his late employers without completing his apprenticeship. He was therefore discharged.

INFANTRY DRILL BOOK.

MR. TOMLINSON (Preston): I beg to ask the Secretary of State for War whether the new Provisional Infantry Drill Book of 1892 is intended to be put at once into the hands of all Her Majesty's Infantry, including the Auxiliary Forces, as the authorised manual for drill; what is the meaning of the word "Provisional" as attached to the book; and whether it is correctly inferred from the book that in the future establishment of an eight company battalion there shall only be three mounted officers—namely, the Commanding Officer, the Major, and the Adjutant?

*MR. E. STANHOPE: The Infantry Drill Book of 1892 has been issued to all Her Majesty's Infantry, and is the only authorised drill book for that arm. It is called "Provisional" because, as it involves a very considerable depar-

ture from some of the previously existing ideas respecting drill, it is thought right to let all officers see that there would be no impropriety in their offering observations upon it. The book is written to suit existing establishments. The present mounted establishment for an Infantry battalion of the Line is one Lieutenant Colonel, one Major, and one Adjutant.

THE LATE POST OFFICE SURVEYOR OF THE SOUTH EAST DISTRICT.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Postmaster General if he will explain why Mr. Perring, late surveyor of the South East District, who has been discharging the duties of that office up to the 21st instant, has been called upon by the Treasury to refund the difference between the full pay of surveyor and his present retired pay from the 1st January, 1892, to 21st March; and whether, as Postmaster General, he will see that this public servant is not thus deprived of his rights as to pay whilst acting under the orders of the Department he was bound to obey until superseded?

SIR J. FERGUSSON: This officer, who had received notice that he would be retired on the 1st January, 1892, appealed to the Treasury against his retirement just before the end of the year. His appeal was not supported by me, as there was no exceptional circumstances in his case. As he was allowed to continue on duty pending the decision on his appeal, the question of his pay during that period is under consideration.

ROYAL IRISH CONSTABULARY.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the total for the Royal Irish Constabulary Force of all grades, whether as a free quota or extra force, authorised by Statute to be maintained in Ireland; what was the total free quota for 1891, and what proportion serving in the counties and towns and in the depôt; and what is the total extra force serving in the counties and towns and charged to the local rates?

*MR. JACKSON: I understand the hon. Member to refer to the maximum

Force authorised by Statute, and in answer I have to say that the component parts of the Constabulary Force, the numbers of which are limited by Statute, are as follows:—County inspectors and town inspectors, 37; district inspectors, 248; head constables, 358; sergeants, acting sergeants, and constables, free force, 10,006; reserve and revenue force, 800; extra force, City of Belfast, 320; extra force, City of Londonderry, 45. The extra forces for counties under Section 12 and Section 13 of 6 and 7 William IV., Chapter 13, are practically only limited by the extent of the requirements. In 1891, according to a Return, No. 33 of this Session, of the free force, 9,507 were in counties and 282 at the depôt. In the same period the extra force serving in counties and towns and chargeable to local rates was 1,568.

MR. HAYDEN: Am I to understand that the full force has not been maintained?

MR. JACKSON: Yes, Sir. The total maximum force authorised by Statute has not been maintained. The hon. Member must not deduce from that that the extra force is charged where the free quota has not come up to the number.

MR. A. O'CONNOR (Donegal, E.): Is the right hon. Gentleman aware of the fact that the addition of the men at the depôt to those in the county only managed to make up the authorised number of the free quota, when he replied that the case of Donegal might be made up by a number of men at the depôt.

*MR. JACKSON: I certainly was aware of the fact; and, if my memory serves me right, I pointed out that in the free quota account was taken of the number of recruits at the depôt and of the vacancies.

TRADE SOCIETIES AND THE POST OFFICE SAVINGS BANK.

MR. HOWELL: I beg to ask the Chancellor of the Exchequer whether he is aware that an application made by a branch of the Steam Engine Makers' Society, at New Brompton, to deposit the funds of the branch in the Post Office Savings Bank, was met by the reply on the part of the Commissioners for the Reduction of the

National Debt that the branch could not deposit its funds without limit, on the grounds "that, in their opinion, your society does not come within the class of cases contemplated by the Statute"; whether he is aware that it has been the practice of the society named for a great number of years to deposit in the Post Office Savings Bank the funds of all their branches, and that by some 70 to 80 branches the funds are so deposited at this time without any question; whether he can inform the House upon what grounds an exception is made as regards this particular branch; and whether it is the intention of the National Debt Commissioners to withdraw the privilege so long enjoyed by Trade Unions of the United Kingdom of depositing their funds in the Post Office Savings Banks, or of so limiting the amount as to render the privilege of but little benefit to such societies?

MR. GOSCHEN: The facts stated by the hon. Member in the first two paragraphs of the question are substantially correct. There is considerable difficulty in deciding whether Trade Societies are "provident or charitable institutions" within the meaning of the clause which allows deposit of funds without limit in the case of such institutions. I am responsible, as head of the National Debt Commission, for the decision under which the branch in question was excluded; but I admit that it is on the border line, and, in view of the fact that many other branches of the same society had been granted the privilege before my attention was called to the matter, I am prepared to grant it to this branch also. With regard to the general question, the National Debt Commissioners are bound to carry out the intentions of the Legislature, and to discriminate between institutions which are "provident or charitable" and other institutions. But so long as the amount of the funds deposited by Trade Societies does not exceed reasonable limits, I am prepared not to press the strictest interpretation of the law against them.

GIBRALTAR.

SIR E. WATKIN (Hythe): I beg to ask the Under Secretary of State for the Colonies whether the Colonial

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Office have approved of and sanctioned a scheme for boring a tunnel through the Rock of Gibraltar from west to east for the primary object of searching for water; and if this should not be found, then of converting the tunnel into a large drain for taking the sewage of the town into the Mediterranean; whether two-thirds of the cost of this scheme will fall upon the civilian ratepayers of Gibraltar, who by recent legislation have been deprived of their former amount of representation on the Sanitary Board, which controls the expenses of such works; whether he is aware that the said ratepayers consider this scheme of doubtful value, and would therefore ask that further inquiry be made before a large tax is imposed upon them; and whether military objections have been made to carrying out a communication between the eastern and inaccessible side of the Rock and the town, where the batteries, magazines, and barracks are situated?

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for the Colonies what are the most recent statistics with regard to the numbers of the civilian and military populations of the city and colony of Gibraltar; and what is the death rate in the civilian and military populations respectively? The hon. Gentleman also asked what efforts have been made, and with what success, to fill up the vacancies that exist in the representation of the ratepayers on the Sanitary Commission of Gibraltar?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The answer to the first question of the hon. Baronet is, Yes. The answer to the second is that two-thirds of the cost of the scheme will fall upon the rates, but that as only two-thirds of the rates are paid by the civilian ratepayers, their contribution to the cost of the scheme will be only four-ninths, which is the proportion of their representation on the present Sanitary Board. As regards the third question, objections have been made to the scheme by the Ratepayers' Defence Association, but it was recommended, after full consideration and inquiry on the spot, by so high an authority as Major Tulloch, Chief Engineering

Inspector of the Local Government Board, and Her Majesty's Government do not feel justified in delaying the commencement of the work, or incurring the expense of a further inquiry. The answer to the fourth question is, No. In answer to the hon. Member for Huddersfield, I have to say that up to the 30th of November last eight persons had declined nomination. There is nothing unusual in this, as previous to the recent change the utmost difficulty was experienced in getting gentlemen of standing willing to serve on the Board, on which there were in 1890 two vacancies, nomination to which was refused by no fewer than twelve gentlemen, including one of the members of the deputation, the other two having also refused to serve in previous years. This is one of the reasons which led Her Majesty's Government to reduce the number of the Commissioners. The number of the civil population at the recent census was 19,100, and of the military 5,896. As to the death rate, Major Tulloch reported that the death rate in 1889 was 24·5 per 1,000 among the whole population, and 25 per 1,000 among the fixed population. In 1888 it was only slightly less—namely, 24·2 per 1,000, while for 1887 it was 32·5, in which year there was an epidemic of scarlet fever. The death rate was therefore in 1889 nearly 50 per cent. higher than that of London, and from 75 to 100 per cent. higher than that of seaside towns in England. The Report of the Army Medical Department shows that the death rate among the military in the same year was 5·67 per 1,000, while in the United Kingdom it was only 4·57.

MR. SUMMERS: I would ask the right hon. Gentleman when the lists will be ready for publication, and if there is any objection to laying them on the Table?

*BARON H. DE WORMS: With regard to the publication of the Papers, I am not aware of any special objection to the giving of the Papers, but I must take time to consider the matter.

MR. CAUSTON (Southwark, W.): I ask the right hon. Gentleman what was the ground of refusal of those gentlemen who were asked to join the Commission; and if it is not the fact

that they declined on the ground that their names were not selected by the Grand Jury, but by the Governor of Gibraltar himself.

*BARON H. DE WORMS: I am unable to answer that question without notice.

MR. CAUSTON: Will the right hon. Gentleman state how many have accepted nomination, and what their names and occupations are?

*BARON H. DE WORMS: The hon. Member will have to give notice of that question.

THE LAGOS TREATIES.

MR. SUMMERS: I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the statement of the *Lagos Weekly Record* for 23rd January to the effect that, though Mr. Carter ultimately induced the Jebu messengers to assent to the proposed Treaty, he failed in his efforts to obtain from them an admission that they were authorised to do more than tender the prescribed apology, and to the statements made by British merchants and others to the effect that, as soon as the Treaty was reported at head-quarters, it was, instead of being confirmed and recognised, at once repudiated in the most forcible way; whether the information in his possession confirms or conflicts with the statements here cited; and whether the Papers promised upon this subject will be laid without delay upon the Table of the House?

*BARON H. DE WORMS: I have referred to the *Lagos Weekly Record* of 23rd January, and do not find any statement of the kind described in the hon. Member's question. I have no information to the effect that the Treaty was repudiated directly it was reported at head-quarters, but within a month of its signature a peaceful party of travellers was robbed and beaten while at the capital, and refused permission to pass. The information in my possession points to the fact that the deputation had authority to treat on the subjects discussed at the meeting. The Papers will be laid so soon as this can be done consistently with the public interests.

MR. SUMMERS: Does the right hon. Gentleman adhere to his state-

ment that this has not been repudiated?

***BARON H. DE WORMS**: I have given all the information I have in answer to the question of the hon. Gentleman.

FIRE AT THE BELL HOTEL, HAMPTON.

DR. TANNER: I beg to ask the Secretary of State for the Home Department whether his attention has been directed to the recent destruction of the Bell Hotel, at Hampton, when the landlady, her two sons and daughters, were saved from destruction by the proprietor's (a member of the Hampton Fire Brigade) forethought in keeping a strong rope in the chief bed-room as a means of escape in case of fire; and whether, in view of the repeatedly occurring fires in hotels, attended with extreme peril to and frequent loss of life, the Home Office will take steps to secure inspection of hotels, with a view to prevent future calamity, by the assistance of expert Inspectors, and the compulsory adoption in hotels of ladders or ropes as a life-saving apparatus?

MR. MATTHEWS: I have seen a newspaper report of the circumstances attending the fire at the Bell Hotel, Hampton. I am not prepared to initiate the legislation which would be necessary to give effect to the hon. Member's suggestions for inspection of hotels and compulsory provision of life-saving apparatus.

DR. TANNER: Is the right hon. Gentleman aware that in other countries these steps are taken to prevent the loss of life in case of fire; and will the right hon. Gentleman take into consideration the numerous recurring cases of fire in hotels in this country where lives have been lost, and other lives endangered? And I beg to give notice that I will raise this question on the Home Office Vote.

THE SMALL HOLDINGS BILL.

MR. J. MADEN (Lancashire, Rossendale): I beg to ask the President of the Board of Agriculture whether persons who are now in occupation of land and buildings up to 50 acres will be able to

avail themselves of the provisions of the Small Holdings Bill, in order to become the owners of the land and buildings they now occupy?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): If the hon. Member will refer to Section 1 of Clause 10 of the Bill he will find that the County Council may advance to a tenant who has agreed with his landlord for the purchase of his holding three-fourths of the purchase money, provided that the County Council is satisfied that the title to the holding is good, that the sale is made in good faith, and that the price is reasonable. Whether any particular tenant or tenants will be able to avail themselves of this provision will depend, of course, on the individual circumstances of each case, as to which I am not able to speak.

TRUSTEES OF OLIVER AND RICHARDS' CHARITIES, YSTRADMEURIG.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the hon. Member for Exeter, as a Charity Commissioner, whether the Trustees of Oliver and Richards' Charities, Ystradmeurig, have been appointed; and, if not, when the appointment will be made, so that the work connected with the Trust might be carried on?

SIR S. NORTHCOTE: The appointment of new Trustees of the charities mentioned in the question has not yet been completed owing to the delay on the part of the agent of the Trustees in the transmission to the Commissioners of the revised schedule of the property belonging to each charity to be appended to the Orders. So soon as this is returned the Orders will be sealed by the Commissioners.

THE DORNOCH VOLUNTEER COMPANY.

MR. MACDONALD CAMERON (Wick, &c.): I beg to ask the Secretary of State for War whether he is aware of the litigation which has taken place between the Town Council of Dornoch and Captain Mackintosh of the Dornoch Volunteer Company, owing to the latter having repudiated the title of the former to the town links, whereon were erected some buildings belonging to the

Volunteer Company, since removed by Captain Mackintosh; whether Captain Mackintosh acted under instructions from his superior officers in commencing litigation against the Town Council of Dornoch; whether it is the intention of the War Office authorities to cause Captain Mackintosh to restore these buildings; whether he is aware that in two actions tried before Sheriff Substitute Mackenzie decisions were given in favour of the Town Council, but on appeal to the Sheriff Principal the judgment of the Substitute was reversed, on the ground that the commanding officer of the district should be sued; and whether it is the intention of the War Office authorities to take such steps as will settle this contest?

*MR. E. STANHOPE: I am aware that litigation took place, but I understand Captain Mackintosh did not initiate it, and that the decision on appeal is in his favour. It does not appear that houses were removed, but rather the rifle range, with butts, targets, and magazine. No further action is contemplated at the War Office.

CORK DISTRICT LUNATIC ASYLUM.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will explain why the Board of Control in Dublin have objected to medical students visiting the Eglinton or Cork District Lunatic Asylum for the purpose of obtaining clinical instruction, although the students have been in the habit of visiting the institution for years past; and whether the Board of Governors have expressed their disapprobation of the mandate of the Board of Control?

MR. JACKSON: I think the hon. Member must be misinformed, because I am told that neither the Board of Control nor the Inspectors of Lunatic Asylums in Ireland have interfered in any way with the visits of medical students to the Cork District Lunatic Asylum. I have also received information from the resident medical superintendent of the asylum, in which he says that—

“No action whatever has been taken for removing medical students from this asylum, and, in fact, I have only just finished my three months' course of clinical instruction to students.”

OPEN-AIR PREACHING AT ARKLOW.

MR. JOHNSTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received information concerning the ill-treatment last Sunday, at Arklow, of the Protestant clergyman; whether the police have instructions to prevent open-air preaching in that town; and whether there is any existing law which prohibits such preaching in Ireland under British rule?

*MR. JACKSON: My hon. Friend appears to have been misinformed as to the facts of this case. There is no law prohibiting open-air preaching in Ireland. The action of the police in this matter has been solely for the purpose of preventing the assembling together of people in the streets under circumstances likely to lead to a breach of the peace, and to cause an obstruction of the highway.

MR. SEXTON: Has not the rev. gentleman referred to been already committed to prison by a competent Court for obstructing the public thoroughfare?

*MR. JACKSON: Well, Sir, I believe the fact is that he was ordered to pay a fine, and in default of payment he was committed to prison.

SAVINGS BANK INSPECTORS.

MR. HOWELL: I beg to ask the Chancellor of the Exchequer whether he can inform the House what number of Inspectors have been appointed under the Savings Bank Act of last Session, the names of the Inspectors, by whom they were nominated, and the amount of remuneration in each case; whether the appointments are permanent or for a term of years, and what are the conditions of their appointment; whether any annual Reports are to be presented to Parliament of the work done, the banks inspected, and the results of the investigations made; whether the Inspectors have to pass a Civil Service examination by the Civil Service Commissioners, or are selected from the Society of Chartered Accountants; and whether he will present a Return to this House, giving the name of each Inspector, his profession, his area of inspection, and the names of the parties

by whom he was nominated for the post?

*MR. GOSCHEN: With regard to the third paragraph of the hon. Member's question, I may call his attention to Section 3 (Sub-section 7) of the Act under which the Committee is appointed. This clause requires that the Committee should annually Report their proceedings, and that the Report should be laid on the Table of the House. The approval of the Treasury is required for the appointment of officers by the Committee. Proposals for the appointment of Inspectors have been made by the Committee, and are still under the consideration of the Treasury. I am, therefore, unable to give the hon. Member the information for which he asks, but I may state that the scheme of inspection proposed by the Committee is tentative, and the appointments are intended to be of a temporary nature.

MR. HOWELL: Will the right hon. Gentleman lay on the Table a Return giving the names of the general candidates, and by whom they are proposed and seconded?

*MR. GOSCHEN: I think it would be most unusual to give the names of those by whom the candidates are proposed. They are appointed by the Committee under the provisions of the Act, and the Committee would be responsible.

MR. HOWELL: I beg to give notice that on the Estimates I shall bring this question before the House.

SHEEP DOG LICENCES.

MR. A. SUTHERLAND (Sutherland): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the fact that the Inland Revenue Authorities in Scotland are contrary to usage refusing to exempt from licence dogs kept and used by crofters solely for the purpose of tending sheep and cattle on their holdings; and whether such refusal by the Inland Revenue Authorities is in conformity with the law?

*MR. GOSCHEN: Certificates of exemption are granted in every case where it is proved to the satisfaction of the Commissioners of Inland Revenue that the applicant's dog is kept solely

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for the purpose of tending sheep or cattle, and no new departure has been made with regard to their issue.

POSTMEN'S GOOD CONDUCT PAY.

MR. HAMMOND (Carlow): I beg to ask the Postmaster General whether, according to the Regulations of the Department, postmen, urban and rural, who have completed five years' service, and against whom no unfavourable record has been made, are entitled each to one good conduct badge, with increase of pay; whether he is aware that, in some of the Irish districts, postmen who have had periods of service much longer than five years, and against whom no unfavourable record has been made, have not received such badge or increase of pay; and whether he will direct that such postmen shall be allowed in future these advantages, and that they be now paid respectively the sums to which they would appear to have been entitled since they have completed five years' service?

*SIR J. FERGUSSON: The answer to the first question is in the affirmative; to the second in the negative. It is certainly intended that Irish postmen of good conduct shall receive equal treatment to those elsewhere. It is only since July, 1891, that good conduct badges have been unlimited in number, and it would not be possible to make the good conduct pay retrospective beyond that date in favour of men who, though qualified, had not attained to the badge.

THE OUTGOING POST AT DRINAGH.

DR. TANNER: I beg to ask the Postmaster General whether his attention has been directed to the inconvenience occasioned to the inhabitants of Drinagh, County Cork, in consequence of the outgoing daily post taking place at ten o'clock a.m.; whether letters taken at ten a.m. are sent on by the 7.45 mail train from Dunmanway, which is distant only seven miles; and if, under the circumstances, an afternoon or later outgoing post will be granted to the people of Drinagh?

*SIR J. FERGUSSON: Arrangements are in progress for giving a later outgoing post to Drinagh. The effect will be to afford an interval of nearly three hours for reply.

FISHING BOATS FOR THE CONGESTED DISTRICTS BOARD.

Dr. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact, as announced by the Rev. Mr. Green, Fishery Commissioner, in his recent communication to the Congested Districts Board, "that two fishing boats have been built in the Isle of Man for the Board"; whether these boats could have been as well built for the Board at Passage Docks, Carrigaloe, Cork Harbour, or at Arklow; whether he is aware that several fishing boats recently built at the two first-mentioned places, assisted by public subscription raised in Cork, are now considered the steepest, most handy, and best sea-going fishing smacks in the Kinsale fishing district, which numbers hundreds, including Manx, Cornish, and French vessels; and whether, if more fishing vessels are to be built for the Board, a further attempt will be made to encourage the fish industry by employing the Cork Harbour and Arklow shipwrights, to believe Irish wants by Irish labour?

Mr. JACKSON: Perhaps the hon. Member will postpone the question, as we have not been able to get the information he desires.

Dr. TANNER: I will put it down for Wednesday next; and may I ask the right hon. Gentleman to see that there are no boats built between this and next week?

Mr. JACKSON: I do not think the hon. Gentleman need fear that any boats will be built between this and next week.

Dr. TANNER: Or started.

THE SCARCITY IN MADRAS.

Mr. MAC NEILL (Donegal, S.): I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State for India has been directed to a telegram forwarded to the Governor of Madras by a large meeting of the inhabitants of Salem, in which it is stated that the crops are entirely withered; that there is scarcity of water even for drinking purposes; that severest measures are taken by local Authorities for collecting revenue; and that the meeting prayed that collection of revenue might be postponed

under the present circumstances; and whether the Secretary of State for India will give immediate directions for the postponement of the collection of revenue in this famine-stricken district?

*Mr. CURZON: The Secretary of State has not seen the telegram described in the question. The Governor of Madras telegraphed yesterday on the subject as follows:—

"Drinking water scarce in Salem town and Taluk, but every possible means taken to allviate. Current year's expenditure from local Municipal Funds for improving water supply Rs. 2,600 Salem town, Rs. 19,120 Salem district excluding Rs. 126,000 well loans, advanced for 680 wells constructed or in progress. Collector strenuously denies pressure of revenue collection. Half Ryotwari demand, about one lakh, postponed till next financial year. Remission on irrigated land will be given at the next annual assessment of the revenue demand."

In view of this statement and of the telegrams of July and September last regarding the liberal suspension of land revenue, which I quoted in the Debate raised by the hon. Member on the scarcity in India, the Secretary of State does not see any necessity for issuing further instructions in the matter.

GENERAL CATTLE DISEASES FUND.

Mr. A. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay upon the Table the account for the last completed year of the General Cattle Diseases Fund; and whether in connection with the said account he will furnish a Return showing the amount of money expended in each county or union on account of salaries, remuneration, expenses, allowances, compensation, and also the amount levied by Local Government Boards on each county or union? And at the same time, may I ask if the accounts are ever audited by the Comptroller or Auditor General, or by an independent authority?

Mr. JACKSON: With regard to the last question, I have no information on the point; I presume that the accounts are audited. I understand that the Report, in pursuance of the 29th Section of the Contagious Diseases (Animals) Act of 1878, is, as regards Ireland, annually presented to Parliament a

gives the information asked for by the hon. Member. The last Report presented was for the year 1890; the Report for 1891 is now in the printer's hands.

MR. A. O'CONNOR: Does not that Report refer only to orders made in regard to cattle, and not include accounts and charges?

MR. JACKSON: I cannot say if that is the case.

THE WEARING OF THE SHAMROCK.

COLONEL NOLAN (Galway, N.): I beg to ask the Secretary of State for War if His Royal Highness the Commander-in-Chief leaves to the discretion of commanding officers to determine what amount of braid or other ornaments may be worn on the caps or tunics of troops, or if such matters are settled by a Central Authority at the Horse Guards or War Office; and if it is only on such details of dress as touch on the wearing of national emblems that commanding officers may use their discretion?

*MR. E. STANHOPE: In answer to the first question, those details are clearly laid down in the published Regulations of the War Office.

COLONEL NOLAN: The right hon. Gentleman has not answered the second part of the question.

*MR. E. STANHOPE: In answer to the second part of the question, the discretion of the commanding officer clearly applies.

COLONEL NOLAN: Does it only apply in this case?

*MR. E. STANHOPE: All matters outside the Regulations laid down by the War Office are at the discretion of the commanding officer.

COLONEL NOLAN: I beg to ask the Secretary of State for War if, where commanding officers use the discretion permitted to them by the Commander-in-Chief, and do not forbid by General or Regimental Orders, or otherwise, the wearing of shamrock on St. Patrick's Day, in such cases it is or will be permissible to officers junior to commanding officers to order the removal of the Irish emblem?

*MR. E. STANHOPE: The commanding officer of a corps is respon-

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sible for the conduct and discipline of all its members, and he will exercise absolute discretion in the matter.

COLONEL NOLAN: But if the colonel of a regiment has made no order whatever, will the captain be in a position to exercise such authority?

*MR. E. STANHOPE: I have already answered that question. None of these emblems can be worn without the permission of the commanding officer.

SCHOOL TEACHERS' CERTIFICATES.

MR. H. R. FARQUHARSON (Dorset, W.): I beg to ask the Vice President of the Committee of Council on Education whether a head teacher of a school holding second grade certificates for freehand, perspective, geometry, and blackboard, can obtain grants for teachers in his school on their successfully passing in any of the above subjects?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Grants are made to managers of a school on account of the passing of pupil teachers in drawing of the second grade, but not of certificated and assistant teachers.

RETURN UNDER THE ALLOTMENTS ACTS.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Local Government Board when the Return of land acquired by Local Authorities under the Allotments Acts is likely to be presented and issued to Members?

*MR. RITCHIE: The Return has to be obtained from more than 600 Local Authorities, and some time must elapse before there is any probability of this Return being completed and issued to Members.

HOUSE FEES FOR PRIVATE BILLS.

MR. LEA (Londonderry, S.): I beg to ask the First Lord of the Treasury if the Government will appoint a Select Committee to consider the question of "House" fees charged in respect of Private Bills?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): In answer to my hon. Friend, I must say I do not think this question is yet quite ripe for further

action. He is aware that it is not one which is affected in any way by the Private Bill Procedure Bill, which was read a first time the other day, and he is also aware that any large alteration in the question of House fees would be best taken in hand in concert with the House of Lords. On the whole, I do not feel disposed to move in the matter.

PARLIAMENTARY AGENTS.

MR. MARK STEWART (Kirkcudbright) : I beg to ask the First Lord of the Treasury whether Scotch solicitors will be allowed to conduct the preliminary stages of Scotch Private Bills in either House of Parliament before they are referred to the Commission under the proposed Private Bill Procedure legislation ; and whether the employment of a Parliamentary agent is optional or imperative ?

MR. A. J. BALFOUR : In regard to the first paragraph, Scotch solicitors are certainly able to act as Parliamentary agents. The employment of a Parliamentary agent is, I believe, imperative in the conduct of a Bill in this House.

CLERGY DISCIPLINE (IMMORALITY) BILL.

MR. LLOYD-GEORGE (Carnarvon, &c.) : I beg to ask the First Lord of the Treasury whether he is aware that a Committee of Convocation is now sitting for the purpose of preparing canons bearing upon clergy discipline ; and whether, in view of this fact, he will postpone the Second Reading of the Clergy Discipline (Immorality) Bill until such Committee has presented its Report ? May I also ask whether the paragraph in yesterday's *Times* is correct—that it is the intention of the Government not to press the Second Reading of the Bill before Easter ?

MR. A. J. BALFOUR : I have not seen the paragraph in question, and I can only say, in answer to the hon. Gentleman's question on that subject, that I am desirous of getting on with the Bill before Easter ; but, as the House is aware, there is much business to be done before Easter, and I am not very sanguine on the point. As regards the question on the Paper, I do think it very desirable that the clergy in Convocation should have an opportu-

nity of expressing an opinion on the Bill, and I trust that they will do so. I cannot pledge myself to imperil the passage of the Bill by waiting an undue length of time for such expression of opinion.

MR. PICTON (Leicester) : Are there any recent precedents which would justify the House in waiting on the decision of Convocation ?

MR. A. J. BALFOUR : The hon. Gentleman will observe that I said nothing about waiting for the decision of Convocation. What I said was that it was very desirable that the House should have the opinion of the clergy expressed ; in any legislation affecting that or any other body we are always glad of such an expression of opinion.

THE GRESHAM UNIVERSITY.

MR. BARTLEY (Islington, N.) : I beg to ask the First Lord of the Treasury whether he is in a position to announce the names of the Royal Commissioners to whom the question of a Teaching University for London (the Gresham University) will be referred ?

SIR A. ROLLIT (Islington, S.) : I beg to ask the First Lord of the Treasury whether he is able to state the terms of the reference to a Royal Commission of the question of University education in London, and the names of the Commissioners ?

MR. A. J. BALFOUR : I have to ask if the hon. Gentlemen will put off their questions till Monday, on which day I hope to be able to give a full and complete reply.

THE CONTROL OF THE PROVINCIAL POLICE.

MR. J. O'CONNOR : In consequence of the answer of the Home Secretary to Question 19, I desire to ask him again if there is any abuse of authority on the part of the police or inspectors of the police in England in the administration of the law, which Minister of the Crown is responsible in this House for such abuse, and whose duty is it to answer questions in this House concerning the same ?

*MR. MATTHEWS : I should be extremely glad if the hon. Member would put that question on the Paper, because it is one I should like to answer with full deliberation and perfect

accuracy. I can only repeat what I said before, that, so far as I am aware, no Minister of the Crown is responsible for any misconduct in his office by a provincial policeman or police inspector. The Minister of the Crown has neither the choice of the policeman nor the right to dismiss him, and has no authority to give him any order whatsoever. The police are appointed and dismissed by the Chief Constable in counties, and in a town like Birmingham, which is referred to here, by the Watch Committee; therefore no Minister of the Crown is responsible for wrong conduct by a policeman in the discharge of his office. On the other point, I would rather defer to your authority, Sir; but I apprehend that a Minister who is not responsible for any particular act or misconduct is not bound to answer questions about that matter in this House.

MR. J. O'CONNOR: I beg to give Notice that I shall put a question on the Paper to-morrow on this subject, and if the reply I receive is anything like the reply I have received now, I will address to you a question on a point of Order.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to give Notice that I will ask to-morrow whether the police of, say Walsall, are only responsible to the Watch Committee, and that Ministers have no authority over them?

*MR. MATTHEWS: That is exactly what I said. The only point of contact between the Home Secretary and the provincial police consists of the certificates which he has to issue to enable them to get their share of the money contributed to the Exchequer Contribution Account or to the Pension Fund. If, in the judgment of the Home Secretary, the local force shows want of efficiency, either in numbers or discipline, he can withhold the certificate, and in that way influence those who have authority.

MR. CUNINGHAME GRAHAM: I shall call attention to the question on the Estimates.

BUSINESS OF THE HOUSE.

SIR W. HARCOURT (Derby): May I ask if the right hon. Gentleman is able to state what finance will be taken to-morrow, and, so far as he can, what

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will be the order of business next week?

MR. A. J. BALFOUR: With regard to to-morrow, the Government are bound by the existing regulation, as the House is aware, to deal on Friday morning only with Supply, and I propose to take Class 1 of the Civil Service Estimates. On Monday I propose to begin the discussion in Committee on the Small Holdings Bill, and I think it will be generally convenient that it should be taken every day next week. I shall not ask the House to give more time than the Government have at present, but to relax the regulation by which Tuesday and Friday mornings are allocated to Supply, so that we may on those days, if necessary, take the Committee on the Small Holdings Bill. We should not take the Committee on Wednesday.

MR. JESSE COLLINGS: Will any Army Estimates be taken to-morrow?

MR. A. J. BALFOUR: I think I shall put down Civil Service Estimates only.

A CORRECTION.

MR. T. W. RUSSELL (Tyrone, S.): In the Votes and Proceedings of the House issued this morning, the Amendment moved by my hon. Friend yesterday to the Bill proposed by the hon. Member below the Gangway was put down in my name. The hon. Member for Londonderry (Mr. Lea) moved the Amendment—I merely supported it.

EVIDENCE IN CRIMINAL CASES BILL.

MR. M. HEALY: Does the right hon. Gentleman intend to take the fourth Order this evening?

MR. A. J. BALFOUR: No, Sir; in the absence of my right hon. and learned Friend who has charge of the Bill, I shall not take it this evening. I cannot say when it will be taken.

THE BUDGET.

SIR W. HARCOURT: I understand the right hon. Gentleman stated that the Budget would be taken on Monday week. Does that still stand?

MR. A. J. BALFOUR: I think probably that will be the course

adopted; but I should not like to pledge myself to that.

NEW MEMBER SWORN.

Joseph Austen Chamberlain, esquire, for the County of Worcester (Eastern Division).

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to confer further powers upon the Great Northern Railway Company with respect to their own Undertaking and Undertakings in which they are jointly interested; and for other purposes." [Great Northern Railway Bill [*Lords*.]]

And, also, a Bill intituled, "An Act to extend the periods limited for the compulsory purchase of lands for and for the completion of the authorised railways of the Hull and North Western Junction Railway Company." [Hull and North Western Junction Railway (Extension of Time) Bill [*Lords*.]]

ORDERS OF THE DAY.

EDUCATION AND LOCAL TAXATION RELIEF (SCOTLAND) BILL.—(No. 208.)

SECOND READING.

Order for Second Reading read.

*(4.55.) THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): Mr. Speaker, in rising to move that this Bill be now read a second time, I do not think it will be necessary for me to do more than remind the House of the way in which this money arises for distribution—which has come to be known by the convenient name of the Equivalent Grant. It is the sum which arises for Scotland in proportion to the fee grant given to England out of the Imperial funds in last Session. I would point out that the amount of the sum, although £265,000 is in the Bill as the amount available at present, may and probably will vary from year to year accordingly as the English quota varies. I do not propose to say anything as to the propriety or accuracy of the calculation which brings out the figure at £265,000,

for reasons which have already been explained to the House. That would be dealt with in a general discussion on the financial relations of the three Divisions of the Kingdom. The mode in which the fee grant for Scotland is fixed, and the way in which it is distributed, is sufficiently in the minds of hon. Members to discharge me from the duty of saying much about it; but I think it right to explain in a very few words the financial aspects of the Bill. Hon. Members will observe that we begin by repealing part of a certain section of the Local Government Act of 1889, and I desire to make this explanation, to show the intention of the Government in making the proposal, that the fee grant was made out of the sum at the credit of the Local Taxation Account. In 1889 the residue of the Local Taxation Account was devoted to the relief of fees, and in 1890 an additional sum not exceeding £40,000 was devoted to the relief of fees. In one sense that was a very proper and satisfactory arrangement; but at the same time, inasmuch as the English fee grant is payable out of Imperial funds, and not out of the taxes assigned to local purposes, it was thought that if for no other reason than to furnish the basis of a proper comparison between the Local Taxation Accounts applicable to the two parts of the Kingdom, the fee grant should be laid substantially upon the same Imperial funds in the two cases. We do not thereby make any difference in the amount at the credit of the Local Taxation Account, but simply alter its purposes by taking the fee grant from that account and placing it on the Imperial funds, and substituting the other purposes specified in the Bill to which this fund is to be devoted. This adjustment of the grant makes no difference whatever in the amount which Scotland receives, or in the amount which stands at the credit of the Local Taxation Account. It has really the effect of re-adjusting the account, so that the fee grant comes out of it to the extent answering the amount of the fee grant in England. For all purposes beyond that the fee grant remains in the Local Taxation Account; but to that extent the account is set free to be devoted to other

purposes, which are set forth in the Bill. It will not be necessary for me to deal at any length with the details of the Bill, with which hon. Members are already sufficiently familiar; but there is one branch of the subject on which it will be expected I should give, and on which I undertook to give, some further explanation, and that is with respect to the item which comes first in the Bill—namely, the sum which we purpose to devote to the furtherance of secondary education in Scotland. That amount, as has already been stated in this House, is £60,000, and the Bill provides that it shall be devoted to defraying the cost of inspection of higher class schools, of holding examinations for leaving certificates, and for making advances for secondary education under the Minutes of the Department, both for urban and rural schools. The first question which arises on such a matter is the principle upon which the amount is to be divided. It may be possible—and I think the suggestion was made from the other side of the House—that it should be divided by counties, or districts, according to any standard you may think fair, such as population or valuation, leaving the further distribution to what I may call some Central Local Authority. That would have the merit of facility, so far as Parliament is concerned, but it appears to be open to two objections to which I think the scheme of the Government is not open. One of these is that it is, at all events, difficult to see how such a mode of distributing the money would work in with the existence of School Boards. The relation of School Boards to a central authority would require to be very carefully considered; and, in addition to that, it does appear to me clear enough that the county does not form a very reasonable or convenient basis for the district education arrangements. I shall merely shadow forth what we propose in the Bill. We propose that the money to be devoted to secondary education should in the main be applied in proportion to the amount of secondary education supplied in the various districts, and that under certain clearly defined conditions. The result would be that each district would obtain its share of the

grant according to its proportion, and the main advantage of that is that it would further what is really the chief necessity of secondary education in Scotland—namely, that there should be better organisation. With reference to the conditions attaching to the distribution of the money, there are certain things to be aimed at which limit the conditions that can be imposed. In the first place, it will be admitted without any dissent that it would not do to interfere more than is absolutely necessary with the existing resources, which are already applicable in that direction. In the second place, while there are many parents ready to pay in some cases a large, and in many cases a moderate, fee for secondary education, it is desirable that those who cannot afford to do so should have their aim furthered by the application of this grant, so that all pupils desirous of going forward may have no obstacle in the way; and, thirdly, that all classes of pupils fitted for taking this additional step should, so far as possible, both for the sake of the scholars themselves and for husbanding the resources, be brought together for the purpose of education. The best mode, in the opinion of the Government, is by imposing a condition that the fee to be charged should not exceed a certain fixed amount per head upon the average attendance. The result of such a condition would be that the localities would each derive a fair revenue from fees, while at the same time the average fee would be kept down to the advantage of those who cannot afford to pay any fee, or only a moderate one, either by the provision of a certain number of free places, or by the lowering of the fees over the whole school to a very moderate sum. We propose to leave very much to the locality itself the choice between these various modes. The amount of the fee we propose is £3 per head per annum. At the present time the average fee in the burgh schools of Scotland is £6. In some it is a good deal more, and in those cases, probably, the fee would not be reduced, because the schools supply a want which would not be better supplied by lowering the fees. But it would not be desirable to debar such schools from participation in the grant,

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or to exclude poor people from the advantages of the education which there given. Therefore, the result of our proposal would be that the capitation grant which we should propose to give for children in the higher class schools is £3 per head per annum on the average attendance at the schools; but where the fee is so large that the managers could not or would not reduce it to the limit of £3, then the schools would be entitled to participate in the grant to the extent of £3 per head, not on the average attendance, but upon the number of free admissions available to those who desire it. I will give a figure or two showing how this works out: The average attendance as it at present stands in the burgh schools in Scotland is 5,500, and the cost of education something near £9 a head. But we cannot count upon 5,500 children. In the schools I have already mentioned, where the fees would not be reduced, the attendance could not be taken as a basis of calculation, and we think it probable that about 4,000 will be the number in respect of whom the grant will be claimed, and that would suppose of about £12,000. At the same time, it must be remembered that we should expect a considerable increase in attendance in the secondary schools. The age for secondary education may be laid down as between 13 and 16, and of children of that age there are probably 270,000 in Scotland. Of these there are in elementary schools at present 50,000, and it is not too sanguine an expectation that these may be in course of time, and at a very long time, raised to 80,000; and taking that figure from the total number of children I have given, there will be left about 190,000 children who are of the age to go forward to secondary education. But it is found from experience that only about one-sixth would do so. Therefore, taking one-sixth of the figure I have given—45,000—it would result in a probable attendance in the secondary schools of 30,000, which is an increase of about 20,000 over the number attending now. If we put it more moderately, suppose that 8,000 children were added, the result would be this: that these schools should receive a capitation grant

which would then amount to £36,000, and then the fees would be reduced, as a condition of sharing the grant, to an average of £3 a head, which would yield £36,000 more. So that the result would be the education of 12,000 additional children, and £72,000 would be the amount of the grant and the fees. That is the main condition, but there are other conditions to which I may just advert which we propose to lay on those who wish to participate in the grant. One of them, as might naturally be supposed, is the inspection of the schools which are to participate, to insure the efficiency of instruction, and also of the equipment of the schools; and we should propose, to render that effective, that the test should be the results of the leaving certificate examination. The other condition would be to admit some element of popular representation in the management. As regards the burgh schools properly so called, they are under the School Boards, and you have the representation already in hand. In some of the burghs in Scotland there are endowed schools which have been remodelled in recent years, and there is in them a sufficiently representative element to meet what we view as the just demand of the Department in that particular. The third category of schools which I desire to come in might do so on giving the School Boards some substantial representation in the management. So far for the burghs; but it is plain that secondary schools do not cover the whole field of secondary education, and, therefore, it is necessary also to take into account the country districts. Now, here of course it is desirable to avoid the undue multiplication of opportunities for secondary education, in so far as that might lead to a waste of resources. Undoubtedly in the scattered districts there are many children who are ready and able to go forward, and yet it would be vain to attempt to bring secondary education to the doors of all in the sense in which we do it in the burghs. Therefore, it does seem necessary that there should be placed in the country districts some educational centre, where secondary education can be developed by secondary departments in the ordinary

school: I need not dwell upon this at very great length, because the mere mention of it will show hon. Members what is proposed to be done. It is enough to say that such secondary department would be on the same footing as regards the grant as the secondary schools to which I have already adverted. There would be in such cases a substantial revenue from fees, and also from the grant; and in such cases it would, I think, be wise and proper to provide still further encouragement for the development of this kind of education in two directions. In the first place, it would be well to admit the children who are receiving secondary education to the leaving certificate examinations free of charge. In the second place, it is proposed in certain instances—not many in number probably, but it is impossible to say how many—to graduate the capitation grant according to the number of children gathered together in any particular quarter. That is to say, if the number attending is so small as to make the cost relatively very large, there should be a larger grant per head within limits to be fixed than the ordinary grant, which I have already mentioned, of £3 per annum. The expectation that we have formed, after the consideration we have given to the proposals under this head, is that about 5,000 children, more or less, would be received in the secondary departments of ordinary schools. Of course, the figures I have given are to a large extent estimates, the result of careful calculations, with due regard to the conditions of Scotland, but they must be tested by experience.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): I understand that there are 32,000 children in the first class and 5,000 in the second.

*SIR C. J. PEARSON: That is so. The intention of the Government in making these proposals is that we should have the foundation of a really thorough organisation upon existing lines, which I regard as a very important matter. It will preserve the local initiative, and at the same time ensure a common aim and a common standard. In the Code recently issued we furnish an incentive to thoroughness in elementary education in the

offer of a merit certificate; and that will serve as the starting-point of secondary education. We think that, under the conditions which I have very briefly sketched, no locality and no class in Scotland will feel excluded from the advantage of this grant. I do not think I should be justified in occupying the time of the House on the other items of the Bill. We propose to give to the Universities of Scotland £30,000 to be expended according to ordinances by the existing Commissioners. The Parochial Boards we propose to treat in the manner I have already explained by giving £25,000 as a further contribution towards the cost of pauper lunatics, and £50,000 to be distributed according to valuation in the relief of local rates. With reference to the former of these two sums, I may say that a sum of £90,500 was, under the Local Government Act of 1889, devoted to the medical relief of pauper lunatics, but calculations show that the matter has advanced so much further that this sum of £25,000 is required to put things in the same position as they were left by the Act of 1889. The remainder of the sum we propose to distribute in the manner to which I have referred—amongst the County and Town Councils in Scotland, in proportion to their valuation, as the Secretary for Scotland may determine. This is a proposal which has already had the sanction of Parliament: and, as it has worked well, I do not know that I need discuss it further. The arguments that have been submitted on previous occasions, with reference to the proper mode of allocating the sum to be given in relief of local rates as between Town and County Councils, do not appear at all conclusive against the propriety and fairness of the allocation laid down in the Bill. If any attempt be made to thresh out this question with reference to the distribution of this sum of money, I think it will be found in the end that no sufficient reason can be urged for departing from the principle of distribution which has already been sanctioned by Parliament. I beg to move that this Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

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(5.31.) MR. BRYCE (Aberdeen, S.) : This Bill comes before us in somewhat a new form, or, at any rate, the financial proposals it embodies are not such as I think we had a right to expect. At the same time, I must say I think the Lord Advocate was right when he treated the question of re-arrangement of the financial proposals as substantially making no difference as regards the main objects of the Bill. He devoted his introductory speech almost entirely to an exposition of the inefficacy of the present arrangements with a lucidity for which we are grateful to him, and of the scheme under which the Government propose to apply £60,000, or rather to allot it to secondary education in Scotland; but he gave us very little information indeed—or I should say he advanced very few arguments indeed—to justify the particular sum which they have allotted to education, and the allotment of a far larger sum to the relief of rates. Now, substantially, without going into the financial change of front which the Government have effected, and without discussing the excessively complicated plan—I am bound to say a plan which at present, even with the advantage of the explanation of the Lord Advocate, I am not able to follow—embodied in Sub-section 5, Section 2—without going into that, it will be sufficient for me to say, in broad terms, that the substance of this Bill is, it proposes to take the sum which falls to Scotland in respect of the grant for free education to England, and to apply it mainly to the relief of local rates. Now, why is it proposed to apply the money to the relief of local rates? That is the very first and fundamental question I have to ask. Is it proposed to apply to the relief of local rates only because such an application has been made of a similar fund in England? Now, the House, I hope, will bear in mind how this application of the Imperial grant to local rates took its origin. It took its origin in demands made upon the Parliament which sat in 1880-85 for the relief of local rates to be made out of Imperial Funds. These demands came only from England. No such demand, so far as I can recollect, was ever made by any respon-

sible Scotch Member; and the discussions which we had repeatedly in this House between 1880 and 1885 were practically regarded as entirely English discussions, in which, no doubt, Scotch Members took part, but with which Scotland as an interested party had nothing to do. How, then, came the money to be given in relief of the Scotch rates? The Government had got the money; they found that it had been applied to a particular purpose in England, and they said they would adopt a similar course and apply it to a similar purpose in Scotland, and we have been told that the Scotch Local Authorities—the County Councils and Town Councils—said they would be glad to get the money. It would be very odd if they did not say that they would be glad to get the money. When the tempter, in the shape of the Chancellor of the Exchequer, came dangling a bag of gold before them, it would be very odd if the Local Authorities in Scotland did not accept the offer. But that makes no difference in the main fact, that this is a demand which was never made by Scotland. There has been no discontent with the incidence of the local rates in Scotland; we never asked to be relieved of these rates. All I can say is that so far as I have been able to ascertain, and so far as many hon. Members on this side of the House have been able to ascertain the wishes of their constituencies the demands made by the Scotch Town and County Councils did not represent the general wishes of the Scotch people; and, indeed, there are many of us who have had the information that, although the Councils did not think it was for them to refuse the gift that was offered, they themselves had no great eagerness in the matter. We come then to ask the question—whether this relief will be a success; will it be any benefit to the Scotch ratepayer? I shall not go again into the arguments set forth, and the figures given—the very interesting arguments and the very cogent figures—by my hon. Colleague in a previous Debate, to show the sort of relief that would fall upon the ratepayer; but what I desire to put before the House on this occasion is the fact that in making a distribution of the sum which comes to us

once in a way and which will not occur again, we are making it in the form of a Bill, which is intended to be permanent. It is all very well to say we can legislate again on the subject. But, not to dwell upon the difficulty of passing Bills through two Houses of Parliaments, I rather desire to ask the House to consider how great will be the difficulty at a distant period of time of taking away money which has been given to Town and County Councils. To use an old proverb, it would be as hard to take a pat of butter out of a dog's mouth as to get this money back out of the pockets of the Town and County Councils when once they have accepted it. And that is the reason why I would ask if the Government are not prepared to give way on the different requests made to them, if they are not prepared with any better scheme, that they should, at all events, consent to have this scheme for one year only, and during that period give us an opportunity of ascertaining more fully the wishes of the Scotch people, and then propose a plan that will give the best expression to their views. These are the general grounds upon which I shall feel it my duty to vote against this Bill. But there is a special ground on which I am opposed to the provisions, as explained in the right hon. Gentleman's speech, which are proposed to be made for secondary education, and I put upon the Notice Paper a Motion by which I intended to call attention to that special aspect of the Bill. I have given Notice to move this—

"That it is inexpedient, without further inquiring into the educational needs of Scotland, to pass a measure permanently appropriating to certain specific objects in permanently fixed proportion the sum standing to the credit of the Local Taxation (Scotland) Account."

I do not propose—at any rate, at this stage—to move this Resolution, and for this reason: if I did so, it might have, I fear, the effect of narrowing the limits of our Debate upon the whole Bill, which I should be very sorry to do; and, therefore, although I think it worth while to call attention to that particular aspect as being one of the most important of this Bill which has come before us, I do not desire to ask the House to debate that point. But I do wish to call the atten-

tion of the House to the position in which the Bill, if it be carried, will leave Scotch secondary education. We should have expected that before a plan was laid before us—such a plan as the right hon. Gentleman has shadowed forth—we should have had some data in order to appreciate the appropriateness of that plan; that we should have had some public inquiry, by a Royal Commission or a Parliamentary Committee, into the condition of Scotch secondary education; or that we should have had a plan which set out in full, and put in plain black and white, these proposals, which, in spite of the care of the right hon. Gentleman, I have not been able, I confess, altogether to follow in his statement. But we have not anything of the kind. We have not even a memorandum to be placed before us, explaining these proposals of the Government; and we have, I may say, in coming to consider a question which is very vital to the future of Scotch education, no information practically on which to rely as to the needs of Scotland in this respect, or as to the best method by which these needs may be met. But, in my opinion, and, I think, in the opinion of nearly everybody who has considered Scotch education, I should say that the allotted sum of £60,000 was far too little for the needs of Scotch education. If we consider the several objects for which the money ought to be applied, and the needs of the localities, almost all the secondary schools are gathered together in a few large centres, so that there is a plethora here and a deficiency elsewhere; for we have to consider, not only the towns in Scotland, but the many parishes where no secondary school exists; and there are many towns where the educational difficulties are great owing to the thinness and the poverty of the population; and the amount of the salaries of the teachers of secondary schools are, as a rule, far lower than in England. Then, if we look at the greater demands which are made for continuation schools and evening schools, and the great extension which may be given to elementary education by the introduction of such a plan, we shall see that really we have no data at all for con-

cluding that the sum of £60,000 is sufficient to satisfy, or to come near satisfying, the educational demands of the country. The right hon. Gentleman has given us some interesting suggestions, and I shall presently say some words on these points; but, after all, what does he ask the House to do? He has brought forward these particular suggestions of his, and he asks the House to consider them; but he does not give us an opportunity of expressing our opinions upon any one of them. He tells us that the Scotch Education Department at present propose to do so and so, but he does not embody these proposals in a measure. He does not even lay the Minute of the Scotch Education Department before us. He asks us—to use the expression used by the Chancellor of the Exchequer—to give a blank cheque to the Scotch Education Department. I have great respect for the Scotch Education Department. I know it contains many able men, the Secretary especially being a very great authority on education. but I decline—and I think this House ought to decline—to follow blindly the Scotch Education Department in this matter. In order not to be too vague, I should like to tell the right hon. Gentleman some points which he has not adverted to, and on which I think we want more information. I want to know whether it is proposed by the Bill to erect new secondary schools where none exist, as I understand it is not proposed to give any assistance to secondary education, except in burghs where there already exist secondary schools, or in the rural districts where they are to have super-added a secondary department to the elementary school; but it seems to omit altogether the case of burghs which do not possess at present secondary schools. With regard to the rural schools, he has told us that the Government propose to give grants in respect of secondary departments of these schools; and if I understood him aright he suggested that this should be done in rural districts not for every school, but that a certain number of schools should be selected to have a secondary department created in them, and that these schools should serve the

needs of other parishes, besides the parish in which they were situated. If that proposal is made—and there is a great deal to be said on the point—surely, something further is needed. Take a county. Are we to understand that the right hon. Gentleman proposes to choose out some six or eight centres or places where secondary schools should be erected; and that that secondary department is to be left entirely under the management of the local School Board? I submit that that would be very unfair to the rest of the county; and I think it would be an unfair application of the money which was equitably given to the rest of the county. We have in Aberdeen about 90 School Boards. The sum of money, I believe, demanded out of the £60,000 would be about £2,500. If you distribute that over 90 School Boards it would give about £28 to each School Board. Clearly that would be an improvident and wasteful way of spending money. It is proposed to choose a number of places well situated to be sites for secondary schools and to erect them there. Why should the School Boards of these places have the entire management of these schools? The other parishes in which the money is equitably given ought to have a share in it. And instead of this crude and imperfect scheme we should have a comprehensive scheme which would not only create secondary schools in burghs where they do not exist, but also establish a proper system of organisation in towns; creating Boards superior to the ordinary School Boards, and having representatives either of the surrounding parishes or from the county at large to administer the schools, which, in fact, would be schools serving the whole county. I do not find in the proposals of the right hon. Gentleman anything to show that he has dealt with that question. Now let me put another point to the right hon. Gentleman. He talked of the existing secondary schools, and he proposed where any school which is not now a school under county management and control is to receive a share of this grant, that it should admit something of the nature of a representative element upon its Governing Body. Now that is a thing which many of us are very

glad to hear. The House will remember that when a similar provision was made with regard to the elementary schools of England in this House, it was refused by hon. Gentlemen opposite. Are the Scotch Education Department to determine what are to be the relations between secondary schools and those schools which are not now under School Boards? These are matters which belong to legislation, and are not matters fit to be settled by a Minute of the Department; and, therefore, we are also entitled to have, I think, not only fuller information upon them, but to have the views of the Government embodied in a shape in which the opinion of the House might be taken upon it. I need hardly call the attention of the House to the fact that in the Welsh Intermediate Education Bill, passed four years ago, a County Authority was created for the purpose of administering secondary education, and the existence of that authority has been found extremely valuable in Wales. I see the hon. Member for Rotherham (Mr. A. H. Dyke Acland) in his place, and he will be able to give the House fuller information on that subject than I can; but I think I am correct in saying that nothing has done more good, nothing has more stimulated the people to establish new schools—than the creation of a County Authority; and it seems to me we are making a great mistake if we lose this opportunity of trying to create some County Authority for secondary education in Scotland. I do not exclude the possibility of grouping the smaller counties into one body for this purpose. That brings me to another point—the relation between technical education and secondary education. Two years ago we allowed the County Councils to apply considerable sums of money to promote technical education. Anyone who looks into the matter will see that the more you can connect technical education with secondary education generally the better for both, and that, in fact, you cannot really work technical education unless you hinge it on to secondary education. Would it not, therefore, be a mistake if, when we are going to apply a large sum to

promote secondary education we were to disjoin that sum entirely from the body which administer the Technical Education Grant? Surely here is another reason for having a more comprehensive scheme for enabling us to bring these two into one system and endeavouring to connect the two departments. I do not wish to enter into any discussion as to which of these plans is the better. What I submit upon the statement of the Lord Advocate is that this is a question far more difficult and complicated than can be solved by the allotment of a certain sum of money. He has shown no reason why the sum of £60,000 is sufficient. I think before we permanently determine that £60,000 or £70,000 or £80,000 is a sufficient sum we ought to have a full inquiry into the condition of Scotch education; and then a comprehensive scheme should be laid before us in the shape of a Bill. I will only say before sitting down that I hope no one will suppose that we do not look upon this question of secondary education as of far more importance as regards the poorer class than as regards even the rich middle class. I think much more could be done than this grant ever could effect to stimulate secondary education in Scotland; and it is chiefly for the sake of giving a better chance to the poorer children to carry their education further that we plead for the extension of the sum. I do not mean for a moment to exclude or disparage the other objects for which the money is to be applied. Many of them are a great deal better than applying it in the relief of rates. I desire to put the issue as between education and the rates; and I say that by applying this money to education we should do far more for the benefit of the Scottish people by extending and furthering the educational facilities open to them than by giving it in relief of the rates, which, no doubt, in the case of some Local Bodies, may be reckoned by pounds, which, in the case of the large middle class, will be reckoned by shillings, but which, in the case of the great mass of the community, will be reckoned only by pennies. In giving such relief we shall be throwing away one of the best opportunities for materially relieving and developing

Scotch education that was ever presented to us, and we shall be wasting the money and shall be losing a chance which in our lifetime may never occur again.

*(5.55.) MR. HOZIER (Lanarkshire, S.): The first question that arises in connection with the Equivalent Grant to Scotland is the question whether we should give effect to the proposals of the Government by Bill or by Vote. I honestly confess that I should consider it an insuperable argument against proceeding by Bill if by so doing we stereotyped the sum of £265,000 a year, which is Scotland's present share of the grant, and if Scotland were consequently not to get the benefit of any expansion that may occur in the case of the English grant. But my right hon. Friend the Lord Advocate has told us, and a careful perusal of the Bill most clearly shows us, that if we proceed by this Bill our Equivalent Grant will not be stereotyped, and that we shall get the benefit of any elasticity that there may be in the English grant. That being so, I cannot see any objection to proceeding by Bill, or any argument in favour of proceeding by Vote. As a matter of course, it stands to reason that it is absolutely necessary, in order that our financial arrangements may be useful, that they should have some degree of permanency about them. Our hon. Friends opposite who say that we ought to proceed by Vote rather than by Bill have none of the Local Representative Bodies at their back. The County Councils and Town Councils are all unanimous in asking that we should proceed by Bill and not by Vote; so are all the Parochial Boards. The School Boards of Scotland are also in favour of a Bill; so is the Educational Institute of Scotland, and so is the Secondary Teachers' Association. On the 9th March a deputation came to this House, and had a conference with certain hon. Members who are in favour of secondary education and opposed to the relief of the rates. Now, that deputation represented very accurately the feeling of the School Boards of Scotland, the feeling of the Educational Institute of Scotland, and the feeling of the Secondary Teachers' Association of Scotland. And what said

that deputation? They said—I can only give the account from the newspapers, as I was not present at the conference myself—they had a great dread of anything like a temporary arrangement, that they hoped the arrangements would be made not only for one year, but on a permanent footing; and then they went on to say that one of the chief difficulties which they had laboured under for many years was the great difficulty of uncertainty. The champions of secondary education in Scotland would rather have their £60,000 as a certainty than possibly a larger sum as an uncertainty. As a further argument in favour of a Bill rather than a Vote let me add that really I do not think that any of us would like to see further and constant dissension among hon. Members on the benches opposite, and we must remember that this dissension will continue year after year if we do not proceed by Bill. An hon. Member opposite said—

“I sincerely hope that this may be the last time we shall be called upon in this House to discuss an Equivalent Grant.”

Now, that hope cannot possibly be fulfilled unless we proceed by Bill and not by Vote. We must give a real permanence to the matter, or year after year the arrangements will be subjected to discussion and alteration. The Bill before us, as its name implies, provides one grant for education and another for the relief of local rates. It gives a grant of £90,000 a year to education—£60,000 for secondary education, and £30,000 for Scotch Universities—and £175,000 a year for the relief of rates. The whole sum dealt with by the Bill is £265,000 a year. Let me take, first, the grant of £60,000 for secondary education. I have listened very carefully to the words which have fallen from my right hon. Friend as to what is to be done for the rural districts. I am perhaps not quite as sanguine with regard to the success of the secondary education arrangements in rural districts as he is, but, at the same time, I think it is an experiment which is well worth trying; and in view of the fact that we get £45,000 a year in the Equivalent Grant more than we ever expected, I think we can afford to be generous in respect of

£90,000, though it ought really to come of Imperial Funds. The £90,000 to be given to education is, however, the very utmost that can be given to it; the balance is the irreducible minimum that we, the defenders of the ratepayers, can accept as sufficient. I am now to the question of the relief of the rate. £175,000 a year is to be devoted to that purpose. I am delighted to be able to congratulate the Government on having the unanimous support of all the Political Parties in this House—that is to say, the Party so ably represented by the hon. Member for St. Rollox, who is an even greater enthusiast for the principle of "one man one vote" than for the principle of "one man one vote." The hon. Member for St. Rollox, as the accredited spokesman of his Party, put the case in such a complete form that I will venture to repeat his words to the House. He said on the 13th March, 1890—

"Now the Government have themselves proposed to take 3d. per £1 out of the pockets of the ratepayers of Scotland for free education."

Of course, that statement is not exactly accurate, but it emphasises in a rough-and-ready way his line of argument. He went on to say—

"It is a mistake to suppose that I and those who think with me wish to burden the already burdened ratepayer in Glasgow. We want free education in England as well as in Scotland. If free education be given to England it must come out of the Imperial Treasury, and be accompanied by an equal grant to Scotland. Free education in England is the restoration to the Scotch ratepayer of 3d. per £1."

I think that was exceedingly well put by the hon. Member for St. Rollox. I hope he will act up to his words. There are also two other factors in favour of the Government proposal for the relief of the rates. First, there is the attitude of the right hon. Member for Stirling Burghs (Mr. Campbell-Bannerman), who first spoke of the relief as "brutal," and afterwards tried to explain it away by saying he was talking in French. He said he was sorry I did not understand the French meaning of the word "brutal." Now, as a former Foreign Office man, I am quite prepared to enter into a competitive examination with the right hon. Gentleman in the French language. It must, however, be the French of France, and not in

the French of the Stirling Burghs—still, the French of the Stirling Burghs is not to be despised. Imagine the magnificent resources of vituperation contained in a language in which the word "brutal" is by no means an uncomplimentary adjective—why such phrases as "brutal" Balfour dwindle down to "simple" Balfour, or even "naked" Balfour. I wish to draw special attention to this matter, because we find that the right hon. Member for the Stirling Burghs is gradually coming more and more to our side; and I begin to hope he will, perhaps on this question as in that of Home Rule for Ireland, to use his own choice phrase, "find salvation." Then the fact also that we have the right hon. Member for Bridgeton (Sir G. Trevelyan) on our side speaks volumes for our case, because he, in politics, can hardly be said to be Quixotic, or likely to go far out of his way to help a lame dog over a stile. On the contrary, he would be more likely to watch which way the cat was going to jump, and then give a helping hand to that jumping cat. Right hon. Gentlemen opposite complain of the way the Government have of dangling money in front of various classes in Scotland. They say it is demoralising and dishonest, but I would ask the hon. Member for Blackfriars, who applauds that statement, why he wishes to disendow the Church of Scotland? Does he wish to dangle that money before the faces of the people of Scotland? What does he propose to do with the Church Funds? An hon. Member opposite suggested "baths" as a specially great object. "Rob religion and build baths" would indeed make an admirable battle cry. I believe that the people of Scotland were so keen for free education that they would have been willing to make some sacrifice for it. They would certainly have been willing to have free education even without any relief of taxation. How much more grateful must they be to the Government for that great boon of free education, together with a relief of both rates and taxation.

(5.22.) MR. HUNTER (Aberdeen, N.): The hon. Gentleman who has just sat down made one observation with reference to the grant for secondary education which shows that he is labouring

under the delusion that nothing can be done except in the form of a Bill, forgetting altogether that the whole of our elementary education rests upon an annual grant, and that it is of a permanent character. If there were one thing wanted to convince us of the propriety of dealing with this question in a provisional way for the current year, it would be the extremely crude, imperfect, and wholly unsatisfactory delineation of the plan of secondary education which fell from the Lord Advocate. Anything less complete, anything less scientific, anything less exhaustive, could hardly be imagined. His ideas are of the crudest possible character. It is evident that the Government have not formed a plan. I will now put the question again, which I raised on a former occasion—namely, with regard to the amount of money coming to Scotland under this Bill, How is it that it has not been distributed on the same principle as in England? I believe the reason is that it would increase the sum for the present year from £265,000 to £270,000; although that is a very small matter. What the Government does by this Bill is to raise the extremely difficult and thorny question of the financial arrangements of Scotland and England with regard to Imperial expenditure. Now, if the Government had appointed a Committee to inquire into that subject, I should not have said a word with regard to it; but it is clear, from the course the Government have pursued, that they do not mean to appoint that Committee. There will be no inquiry so far as they are concerned. In the course of last year the Treasury put forth an elaborate and careful statement showing, according to their view, the amount of money which was contributed to the Imperial services of England, Scotland, and Ireland, and also the amount of monies which those countries respectively obtained from the Imperial Government. The remarkable fact about that document was that on the surface it appears to show that Scotland was slightly overtaxed, and the general result of the paper was to make out that a great loss was sustained through Ireland, and that that loss fell principally upon England and not upon Scotland. Now, that is an entirely delusive theory.

Mr. Hunter

Taking the figures of Customs and Excise, I find that for last year alone in England the total receipts from Customs and Excise was a trifle under £37,000,000. If you take the population, you will find that if England paid £37,000,000 Scotland ought to have paid a little over £5,109,000, while we actually paid £6,100,000, or more than a million beyond our proper share. I venture also to say that we ought not to be taxed in Scotland according to population, but according to population and wealth. If we take the test of wealth as shown by the taxes in the two countries, we find that Scotland paid nearly £1,400,000 more than she should have done; and if upon the figures supplied to the Government a fair estimate is made, it will be found that Scotland is overtaxed to the tune of at least 1½ millions a year, and that even Ireland is still overtaxed. This question raises much larger issues than that of this small sum of £265,000, but to show how utterly futile it is for the Government to attempt to adjust the financial relations of England and Scotland on this principle let me point to one single fact. Between the years 1889 and 1890 there was an increase in the Customs and Excise to Scotland of £380,000, so that in one year the Government obtained from Scotland nearly £400,000 in excess of what, taken according to the population, Scotland ought to have paid in Customs and Excise alone. The result is, so far as last year is concerned, that if we divide the population into families of five persons, the average receipts for Customs and Excise were in Scotland £7 14s. 3d., and in England only £6 7s. 4d., making a difference of £1 7s. 4d. for every family. These figures show that in the matter of taxation relatively our burden, measured by Customs and Excise alone, shows no less difference than 27s. per family. That is one point. My principal objection to this Bill, however, is that it takes money provided by Imperial taxation and applies it for the relief of local rates. That is an objection which has long been maintained by the Liberal Party. They have always opposed Grants in Aid, and so far as their Parliamentary power would extend they have opposed them, mainly on the ground that

Grants in Aid are not really bene-
 ficial to the localities to which they
 are given, but encourage recklessness
 and extravagance. But there is one
 point to which less attention has been
 paid than it deserves, and that is
 the granting of sums in relief of
 local rates is a means of shifting the
 burden and altering the incidence of
 taxation. Now the weight of Imperial
 taxation rests mainly on the poor;
 the weight of local taxation
 rests chiefly on the rich, and if
 you relieve the local rates out of
 Imperial taxation you are relieving the
 poor at the expense of the poor. That
 is an abstract proposition with which
 nobody agrees, but abstract proposi-
 tions hardly have full force unless
 they are backed with precise and with definite
 figures. I shall endeavour to prove my
 point by a brief estimate of the burden
 of Imperial taxation on two classes of
 persons—those who pay Income Tax and
 those who do not. The total gross
 amount of income enjoyed by the
 income tax-paying class in Scotland is,
 in round figures, about sixty million
 pounds per annum. The Government
 returns do not enable us to say the
 number of persons who pay Income
 Tax, but, so far as Scotland is
 concerned, I believe we may ascer-
 tain it with approximate accu-
 racy, if we assume that the number
 of persons occupying houses of
 £15 and upwards does not materially differ from the
 number of persons occupying houses of
 £10 and upwards. Well, Sir,
 the population living in houses of
 £15 and upwards number 16 per cent. of the
 population of Scotland, and 84 per cent.
 of the population live in houses of
 £10 and under. In order to make a
 comparison between those who pay
 Income Tax and those who do not pay Income
 Tax, I am going to credit the upper
 class with very large payments
 in Imperial taxation. I credit them with the
 whole of the Property Tax, the
 whole of the Stamps and Probate
 duty, the whole of the duty on foreign
 spirits, the whole of the duty upon wine
 and spirits, in all, £4,236,000. I also assume
 that the Income Tax people consume
 an average share of tea, tobacco,
 and spirits. With respect to the
 lower class of the population, I assume that
 they pay nothing to Imperial taxation
 except the average amount of Customs

and Excise, including the £100,000 of
 licences and the whole of the foreign
 spirits and the whole of the wines. If
 we do that, what is the result? The
 result is that you have 120,000 people
 paying 6·9 per cent. of their incomes in
 Imperial taxation; you have 628,000
 people paying 12·4 per cent. on their
 gross income. Now, Sir, how may we
 arrive at the income of those who do
 not pay Income Tax? I divide them
 into two classes, those who live in houses
 between £10 and £15, and those who
 live in houses under £10. With regard
 to the first, we may assume that their
 income does not exceed more than ten
 times their rent, while those who live
 in houses under £10 have an income
 which could not be supposed in Scotland
 to be nine times their rental. These
 are exaggerated figures, but I purposely
 exaggerate the amount of the
 income. Now, Sir, ought we to
 tax the working man upon his gross
 income? On the same principle
 that £120 is deducted from the incomes
 of those receiving between £150 and
 £400 a year, some reasonable allowance
 ought to be made if you are to consider
 the income equal for the purpose of
 taxation. If you take £35 as the
 smallest sum that should be deducted
 from persons under £150, the contrast
 between those who pay the Imperial tax and
 those who do not is this: those who
 pay Income Tax pay 7 per cent., and
 those who do not pay Income Tax pay
 22 per cent. on their net income. And
 there is another way in which the same
 result may be clearly brought out. Let
 us suppose that the Customs and
 Excise were abolished, and that Scot-
 land had to raise this £6,000,000 by
 means of a national rate on the same
 basis as the poor rate; those who
 occupy houses between £10 and £15
 would pay £120,000 a year as against
 £575,000 a year which they now pay
 in Imperial taxation. But those under
 £10 would pay £362,000 as against the
 £3,822,000 that they now pay. In
 other words, the advantage to the
 working class of abolishing the Customs
 and Excise, which is indirect taxation,
 and substituting a local rate, would be
 that that class of persons would
 gain £3,800,000 and would lose only
 £360,000. In other words, it would
 be equivalent to £3,403,000 in their

pockets every year. That follows from the nature of the different taxes. A tax on commodities is an equal tax on the pauper and on the peer, but in the case of rates a person living in a £500 house has to pay more than the person who lives in a £100 house. If the Government wish to relieve the local taxpayers, I will tell them how to apply this money. Let them reduce the duty on tea and tobacco and then the working class, forming 73 per cent. of the population, would gain over £109,000 in relief. They would obtain an average relief of 6s. 8d. per family. How much relief will they get under this Bill? They are going to get a relief of £12,500 a year, so that by this operation of diverting Imperial money in relief of local rates the Government are practically taking from the pockets of the working man the sum of £181,000. £12,000 out of £265,000 is all the working man is going to get, but the landlord is more liberally treated, and he will get £47,000. I object to this Bill and shall vote against it, on the ground that to apply money obtained from Imperial taxation to local rates is a process which takes money out of the pockets of the working man and puts it into the pocket of the richer ratepayer. With regard to the £50,000 that it is proposed to give to the Parochial Boards, I should prefer that that money should go to providing bursaries or scholarships for the education of poor boys in secondary schools or in the Universities. In respect of the £1,000 which it is proposed to give County Councils and the Town Councils, I have indicated sufficiently that it is impossible to select a more iniquitous object to devote Imperial money to than the relief of the richer persons and the large landowners. Therefore, there is only one course, and that is to give to the County Councils and the Town Councils a wide discretion as to the mode in which this money may be used, especially to enable them to provide for a great many objects of genuine public utility for which they have no power to impose a rate at present. There are a large number of such questions. There is, for example, the question of providing relief for unemployed workmen in times of distress.

Mr. Hunter

It is most desirable that Town Councils should have at their command other resources than charity which may be available, to enable them to make some provision in times of distress for the unemployed. Then there is the subject of providing pensions for old age and the insurance of fatherless children. Then, Sir, there are the provision of public parks and public halls, and public places of recreation, and free gymnasiums, the establishment of art galleries and public libraries, and in the counties there is the important subject of allotments, and the provision of means for stocking those allotments. There is, in fact, a large number of objects of undeniable public utility which differ in their application to different localities, so that when this Bill gets into Committee I will give the Government an opportunity of satisfying all the objects to which this money might be beneficially employed short of providing for the rates. To give the money to the rates will be a gross and a clamant injustice. It is a shocking thing to find the working man taxed 30 per cent. on his gross income. Certainly the Government are most unwise in setting a precedent of this kind, a precedent which may at no distant day be used as an instrument, not for the purpose of taking money out of the pockets of the poor and putting it into the pockets of the rich, but taking it out of the pockets of the rich and giving it to the poor.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham): I am afraid it is a very daring thing for an English Member to intervene in a debate of this kind; but as more than once the question of the Welsh Intermediate Education Act has been referred to, we, who are interested in secondary education in Wales, look with great hope to Scotland to see that she will continue in the front rank in educational matters, and will continue to set an example of a progressive character. The present proposals of the Government, however, do not seem to me to show that Scotland is going to be able to maintain her pre-eminence. With reference to money, our position in Wales is more liberal than that which Scotland will occupy under this Bill. We have a

halfpenny rate, the Treasury grant, the drink money, all of which have been allotted to the purpose of secondary education, and the result is we have in Wales between £50,000 and £70,000 applicable for the purpose of secondary education. Scotland is three times as large as Wales, and, therefore, if Scotland were doing what we are doing, there would be a sum available for secondary technical education of £200,000. In founding the secondary schools in Wales, we have applied to the localities to help, and they met our request by providing considerable local funds for the erection of schools in which the Act is now being worked. Before the work is completed, I expect that we shall have £100,000 for buildings and sites. If Scotland were doing the same work, she would have £200,000 per annum, and a total fund of £300,000. One other objection of a fundamental character in connection with our work is this: that it is a local initiative, and is not controlled by any centralised Department. When the Welsh Intermediate Education Bill was brought in, we had been told that the money would be given by an Order to be laid upon the table at some distant date, those interested in Welsh education would not be looked at the scheme. I have tried to follow the Lord Advocate, but it is not clear now how this money is to be allotted. So far as I understand the Scotch Education Department, and the localities, are to have the initiative.

R. C. J. PEARSON: I explained that there will be a local initiative in the School Boards.

R. A. ACLAND: I do not see how a local initiative can come from the School Boards; you want an independent body representing the whole of the counties to consider all the public representations, and to consider what may or may not be the best kind of scheme. That is how we have proceeded in Wales. We have gradually framed schemes for each district. If we had acted without this full local inquiry I think we should have entirely failed. I venture to say that this bureaucratic, this centralised system altogether unequal to

the necessities of the case. The whole experience of a poor country like Switzerland and a poor country like Wales turns out to be that in many cases, especially in rural districts, you must group your children together if you are to give them secondary education of the fullest and best character. You cannot, by alone teaching the higher branches in elementary schools, give them the same opportunities as where you have one large school with teachers told off to each section, instead of making one or two teachers teach a number of subjects, thereby overtaxing them and not giving the children the same opportunity as if they are in one school, grouped together and taught by separate teachers. Whatever may be the method, the essential thing is that each district or county shall be consulted, and that the matter shall not be settled in any Central Education Department, who cannot possibly know the needs of the locality when the inhabitants of the locality have not yet put their heads together to find out what their needs really are. I venture to say that even some Scotch professors have already seen that this centralised system would be a great mistake. I have recently read an interesting article by Professor Laurie, of Edinburgh, in which he strongly protests against this proposal of what he calls bureaucratic centralisation. I venture to say that though we proceed slowly in Wales we are proceeding soundly; and while we certainly should have looked at a scheme such as that which has been expounded by the Government to-day, we should rather wait for two or three years and get a good Act, an adequate supply of money, and fair treatment; allowing us to act in an independent way. On the other hand, we are well under the control of a Central Department. When we submit our scheme to the Charity Commission, and have a united public opinion, then I am bound to say that the Charity Commission is not able and is not willing seriously to alter that which we have made up our minds to. Nobody would be more willing to testify to the enormous value of those local inquiries than

the Charity Commissioners themselves. It is with the feeling that we have more money than Scotland, as offered by this Bill, and that local inquiry and initiative, as distinguished from centralised action, is vital to any successful scheme of secondary education, that I venture to hope, in common with many Members on this side of the House, that this proposal will not be accepted as in any way complete or satisfactory.

MR. A. R. D. ELLIOT (Roxburgh): I have great sympathy with the remarks of the hon. Member who has just spoken; but I would point out to him that we are not discussing a Secondary Education Bill—we are discussing a Bill for the satisfactory allotment of £265,000 to Scotland. And I would submit, without any hesitation, that one of the first objects which the Government should have in allocating this money is that it should be allocated on some general plan; that it should not be allocated to any small class; but that they should try to make the relief go to as large a number of persons as possible. If the money must be raised from general taxation, let the relief be general and wide. In regard to education in Scotland, I hope we shall not go down from our high standard, as compared with other nations of the world, but when does it happen in Scotland, particularly in the rural districts, that any financial advantage you may give in order to assist University education benefits the inhabitants of those parishes? Very seldom indeed. I ask the House to consider what you really do for the poorer parts of the country by adding to the advantages of University education. I am not crying down University education in the slightest, but I ask the House to consider how often in the poor parishes of Scotland the people have obtained to the extent of a single penny any part of the money which has been given to University education, and the same thing applies in the case of higher education. I am in favour of doing all we can to perfect our system of secondary education in Scotland. But who are the people who in the main benefit by our excellent system of secondary education? They are not extremely poor

persons, or those who live in the rural districts. Therefore, I think the Government are right in not devoting the whole of this money entirely for the benefit of secondary education, and I support strongly a general distribution of the fund. Let us make the best use we can of this national fund which is at our disposal for various purposes. We have lately got a very large amount in the case of primary education. I agree with a great deal that has been said by the hon. Member who spoke before me, as to whether there should not be some central authority between the Parochial Board and the Department in London. I think this is a matter which deserves our careful consideration. I support this proposal of the Government simply on the ground that they are making a general distribution of the money. They are helping University education very largely—£30,000 a year is a considerable sum—and £60,000 a year is not a contemptible sum for secondary education when we consider that we are a limited class of the community; and the bulk of the money is really being bestowed on a much larger class than would appear from what has been said. Therefore, on all these grounds, I support the proposal of the Government. As far as I can judge, this scheme is heartily supported by public feeling in Scotland. I have had representations on the subject from various public bodies and representative authorities, and I do not think I have had one single representation which does not really, with a considerable amount of heartiness, support the Government proposal.

*(7.15.) **SIR LYON PLAYFAIR (Leeds, S.):** The hon. Member who has just sat down seems to forget the whole history of University education in Scotland. The very spirit of education in Scotland has been to connect the lower schools with the higher schools and with the Universities, and the very glory of Scotch education has been that it has been accessible to the poorest of the country, and that the sons of Scotland have been able, by the education they have received in their native country, to succeed in life not only here but all over the world. Therefore,

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when he speaks of University education being extended to a limited class, or secondary education being extended to a limited class, he does not know how many of the poor of the country are really attending the Scotch Universities. Very often more than half of the students in some of the Scotch Universities are of the poorest class of the community, who have got to the Universities either by their own earnings or by means of bursaries and scholarships, for it is carrying out the traditions of the Presbyteries of old, who always searched for boys of pregnant parts in their parishes, and sent them by bursaries and scholarships to the Universities to do honour to the education of their country. Therefore, when he talks of any portion of education being devoted to a special class, he is totally ignoring the history of the country. I would call the attention of the Government to the fact that they are not carrying out by this measure the plans which always prevail where new educational funds have been given to Scotland. When you are giving £60,000 for the promotion of secondary education in Scotland why do you not appoint, as has been done for the Universities, a Statutory Commission in connection with the Local Authorities all through the country in order to ascertain what are the wants of these Local Authorities, and have ordinances regulating the best application of your funds? But you have not done so; on the contrary, you have given the whole allocation of the sum to your central Education Department. I have no doubt that Board will act according to its lights, but its lights are not those by which education is being spread amongst the people of this country. A great deal of the money which has been applied and is to be given to the County Councils of England has been applied for the promotion of technical education, but all the ideas of the Education Department of Scotland are simply for the old-fashioned education, and not for extending a useful technical education to different parts of Scotland in the same way as is being done in England. As long as you have a Central Department with

an extremely able Secretary, you will have education going through one groove instead of consulting localities as to their wants and ascertaining whether those wants could be met by the allocation of certain money. It is proposed simply by centralisation to give the money without proper local co-operation. I do not deny that in burghs you may have local co-operation, because you have Corporations to deal with; but how are you going to do that with regard to the rural districts in Scotland? You have separate School Boards for each parish, and that is not proper local co-operation. You ought to have unions of parishes, with a proper secondary school, and a useful technical school. Therefore, I think when you go into Committee you must be prepared for our proposing an Amendment in order to obtain more local co-operation, more local supervision, and less centralisation with regard to education. We see Wales, with only one-third of the population of Scotland, giving a splendid scheme of education through the County Councils. You must not be surprised if in Committee we support the hon. Member for Aberdeen when he proposes that a certain amount of money should be applied to carry out the principle which is the vital principle of Scotch education. There is nothing in this scheme by which the ladder of education is to be carried, as it has always been carried in Scotland, from the lowest schools to the secondary schools, and from the secondary schools to the Universities. There is no organisation which joins the whole, although it is this junction of the whole from the lowest to the highest that has always been the distinguishing feature of Scotch education. The Bill, I think, is a crude and ill-conceived Bill, and I hope, before it goes through Committee, we may be able very much to amend it.

(7.25.) MR. WALLACE (Edinburgh, E.) This Bill has been discussed very much as an Education Bill, but it seems to me to be more of the nature of a Financial Bill, and a very bad Financial Bill to my mind. It aggravates what is already the existing and growing evil of throwing

upon the Imperial Funds what are properly local burdens. It calls itself an Education and Local Taxation Relief Bill. Well, I do not know on what principle education has been put first, unless it has been on the alphabetical principle, and I can hardly suppose that the Lord Advocate would endorse that as a principle in constructing the title for his Bill. If he were sincere in putting education first, he would be more anxious about education than about local taxation relief. That seems to me to be in reality what was called by a famous character in literature a derangement of epitaphs, for, as between the two subjects of education and local taxation relief, what the Bill does is to give a smack in the face to education, and a pat on the back to local taxation relief. The arithmetic of the Bill only needs to be looked at to show this. At present, from the local taxation account of Scotland, educational interests have an income of £344,000, and the rates have an income of £381,000—i.e., the rates are at the present moment ten per cent. better off than education is. But under this Bill they are to be altered as follows:—Education will have out of the Local Taxation Account £421,000, and rates £562,000—i.e., the rates will now be 33 per cent. better off than education; in short, the original advantage that the rates enjoyed over education will be more than trebled by this Bill. It seems to me this financial aspect is more emphatic than these educational recommendations. I say this is really making bad worse. To devote Imperial money to education is perfectly consistent by itself, because education is a matter of Imperial concern and of universal benefit; but to devote Imperial money to local purposes is an indefensible abuse. Local rating may not be on a satisfactory footing; there are many persons who are not paying who ought to pay, and many persons who are paying ought to pay a great deal more; while others are unfairly dealt with; but to take Imperial taxation, which is half paid by the working classes, and return them a fourth or a fifth, and to give three-fourths or four-fifths to the better classes is

simply doubling the original wrong, besides giving a very disastrous lesson to Local Authorities in general carelessness. The true remedy for any error in local rating is not to deal with it in this irregular and anomalous fashion; it is to reform local rating, and make the right people pay the right rate and the right amount of that rate. I decline on the present occasion to regard the arrangements of the Bill as permanent, and I support the proposal that we should either go against the Bill, or support some Motion or Amendment for limiting its operation to one year. Perhaps, by that time, there may be a state of matters in this House which will allow of attacking the anomalies and disadvantages of the local rating system and creating a true and scientific system of national economy. The Bill seems to me in several ways to be disadvantageous to educational interests. Free education still remains to be developed and made permanent, and the Bill, instead of doing anything to fill in the incompleteness of free education, offers no encouragement to it, if it does not positively discourage it. At present free education gets out of the Licence and Probate Duties a revenue of over £277,000, and the Bill names the sum of £265,000, which may probably be less any year, according to the variation of the English grant. That is suggesting that free education in Scotland is too well off by more than £12,000 a year. We who are acquainted with the facts know that it is by no means too well off, and that in many quarters it has to eke out a precarious living. It is true that free education will get what happens to be left in the local taxation account, but if that should fall below £265,000, and the Licence and Probate Duties fall below the fee grant, free education is left out in the cold. In the Bill £165,000 is fixed for other objects—in addition to £365,000 given by other Acts to the same objects. I should have thought that in this Act, at all events, they would have said that whatever loses, free education shall not further be endangered. No one can say that in the most important aspect of national education this measure does its duty as an Educational Bill. It is

reactionary with respect to technical education. It restricts the Town and County Councils in dealing with the £100,000, more or less, which is to be given to them. Such residue as there is of this description is to be used exclusively for the reduction of their rates, and in that respect it is a falling away from the Bill of 1890, which gave them the option of devoting it to technical education. The fact that that option is taken away is not only astonishing but alarming. In the ratio of 25 to 20 the Urban and Rural Authorities of Scotland have preferred to give the residue from the Customs and Excise to technical education, rather than to fling it into the gutters. The worst blow the Bill proposes to deal at education is the bold proposal to divert £175,000 of the Licence and Probate Duties to the relief of local rates, leaving only £90,000 for education. The iniquities of this proposal have not been sufficiently noticed by preceding speakers. If the Bill gives £265,000 with one hand it takes away with the other; it takes away two-thirds of our rightful share of the free grant of £175,000 and uses it for fixed non-educational purposes, thus leaving only £90,000 for secondary and University education. I want to know by what right, or principle of equity, or justice, or history almost, the Lord Advocate takes this away from us? It is admittedly ours by right, and we, being the owners, choose to devote it to educational purposes. I want to know by what right the traditional defenders of the highest rights of property propose to take away the elementary conception of property, that when a man has property he can do what he likes with it? Leaving us the one-third shows that the Government feel they have no right to take the money, and if we have a right to one-third we have a right to the whole. If the Government say we have the Equivalent Grant, I say we have a right to both, and it is for us, and not for you, to say what we should do with it in both cases. The Bill puts educational objects in the wrong order of importance, and to that extent is a discouragement and not an auxiliary to education. I would say all I could in favour of devoting money to secondary

and University education; it is a proper devotion of public money to what are national purposes. Let them be made as accessible to the intellectual ability of the poor as to that of the rich, and we have an unmixed blessing. But there are educational claims even antecedent to these. The true order of educational claims is that of national necessities; the order in which one is more necessary to national conditions than its successor, and on that footing they should be supported by national money. I range them thus: first, free primary education; next, evening or continuation schools for the great mass of the people to carry on such education as their opportunities allow; next, technical education; next, what is called secondary education, as I understand the sense of the term; and last, University education, to finish up the matter perfectly. We have, at this, one of the most serious junctures and important crises in the history of our country, to consider the question whether this great endowment shall be wisely used, or, to a large extent, wasted and frittered away. We have sufficient money at our disposal to organise education in this way in Scotland, and to make it a complete system; complete in the education it gives, and the assistance it affords to poor but meritorious ability to approach the fountain of knowledge. The Government made one great financial blunder in creating the evil of assisting local burdens by Imperial funds, and in the little contribution they have given towards education they have begun at the top instead of the bottom of the ladder; and they have made a second mistake in restricting even the little portion they have saved out of the general wreck to the fourth and fifth branches. On these grounds I hope almost against hope that some impression will be made on the Government, so that if they will not do their duty by the entire sum, they will be led to give more liberal assistance in the direction in which, in my opinion, this money can only be profitably expended. The people of Scotland do not put very much value on the distribution of the small amounts in the way it is proposed to deal with a large part of

this money. There are, I am sorry to learn, people in Glasgow, if they are properly represented on this point, who seem to wish for a lower, less honourable, and, in the end, less profitable distribution of the money. The great mass of the people, the working people, however, know perfectly well that three-pence or fourpence in their pockets in the year is not for one moment to be compared with the erection of a splendid system of popular education, popularly devised; they think that the highest interest of any nation is the intellectual and moral elevation of its people.

(7.48.) MR. J. P. SMITH (Lanark, Partick): I think the people of Scotland will feel that one pound is as good as another pound, whether it be called a Free Grant or a Probate Grant, and I do not see the financial objections of the hon. Gentleman who has just sat down. I think he is under a misapprehension as to the Free Education Grant; whatever happens the grant will be the same as that paid now. The Debate has been very much an education Debate throughout, and no one except the hon. Member for Aberdeen (Mr. Hunter) has gone into the general figures of the finance, and there one cannot follow him on the spur of the moment. It seems to me, he says, that a man having a £10 house, with 35s. a week, and taking 10s. a week for the minimum for the necessaries of life, would have 25s. a week left, and he would be taxed to the extent of one-third of this, or 8s. a week; if he consumes two pounds of tea, a half-pound of tobacco, and a half-gallon of whisky.

MR. HUNTER: The figure is the average for those between £10 and nothing, and in the case of the £10 it would be more rather than less.

MR. J. P. SMITH: I was simply giving the case as it occurred to me. The method of division between counties and boroughs will be more conveniently raised in Committee. The main point of the Debate has been the question of secondary education, and it seems to me that this opportunity has been taken, and that a scheme is being worked out which will go a long way towards meeting the needs of Scotland. In the Bill it is a very skeleton scheme, and we can hardly criticise it without

further time for consideration. One needs to compare it with Wales. I have read the Reports of the Conference under the chairmanship of the hon. Member for Rotherham (Mr. A. H. D. Acland), and I was almost ashamed to do so. We in Scotland thought we were leading in educational matters, but we have been left behind in secondary education by Wales. What strikes me most in Wales is to see how the hon. Member and his friends have succeeded in calling out local enthusiasm, working through local agencies, and waking the feeling of the country to the necessity of secondary education for the benefit not of the few but of the many. I do not know that the things which suit them in Wales will suit us in Scotland, as circumstances differ to a considerable extent. We have been accustomed to secondary education in our parochial schools, and have no such things as elementary schools. The success of the Dick and Milne bequests in Aberdeenshire shows that much can be done in this direction by having extra teachers in country schools. By this means you would meet the requirements of the rural districts for a proper share of attention. I do not think, however, it is a fair expression of the opinion of the people concerned to say that the rural districts are being neglected. In regard to secondary education, it seems the difficulty will be to do the work. The big towns are perfectly capable of doing it, but I am afraid there will be waste if you take simply the basis of the parochial district; to take counties and form an Educational Committee for the county as in Wales, would probably be the best way. But where you have large counties it might be well to take such groups of parishes as geographical circumstances favoured. You want full power of combining. By establishing committees of this kind you will get warm and enthusiastic support, and vigorous work as in Wales, and you should give both secondary and technical education into the hands of these committees. To make technical education anything more than mere manual facility, you must have some

secondary education to base it upon. At present the thing is left very much at large; money is put into the hands of the County Councils, and they act as they see fit. All that is necessary is to say *fiat* and technical education would be brought into being. You will have to consider local circumstances because the money will certainly not be enough to meet the development of secondary education. You must get more money than that you can only do by stimulating localities. You will get a certain amount out of fees, but you must create interest in the matter as in Wales. You do not find this interest in the County Councils in regard to secondary education. The County Council of Renfrewshire, of which I am a member, voted the money to the relief of rates, though there was no objection to devote it to technical education. There is another Welsh precedent we might follow with advantage. That is the power to rate counties for the purposes of secondary education. Under the Act of 1878 Scotch School Boards have power to spend money out of the rates on higher class schools, but I should like to have that power extended, so as to remove certain restrictions in spending it. If that were done it might further follow the precedent, and have the sum raised met by corresponding sums from the Treasury. We should also desire for Scotland the provisions of the draft Treasury scheme for developing the details of the Welsh Education Act now under discussion. It proposes to make a Secondary Education Board for Wales, which shall consist of representatives from the County Councils, from the University Colleges, from the College, Oxford, the head masters and teachers of different schools, and I should like to have a general control over secondary education throughout Wales. It has considerable discretionary power in regulating between the different County Boards. Such a Board might be formed for Scotland, and have power to regulate the grants to different counties, because the main objection to any system of local distribution is that some counties, as Glasgow and Glasgow, have already enormous endowments, and we should like to see the benefit spread

over the whole of the counties. I should like to see a Central Board arranged with the power of controlling matters according to the real convenience of the people without regard to mere geographical distinctions. Then, again, I regret that the burghs and counties have not the same liberty that they had under the legislation of 1890. Under that authority they had the option of spending the money either on the relief of the rates or on technical education. I regret that as the Bill stands at present they have not the same power, or a wider power, because I should like the new Bill to include technical education as well as secondary education, and to give the County Councils and the Town Councils power to divide it between those purposes. In the counties at present the grant is divided—£16,000 going to technical education, and £7,000 to the relief of the rates; and in the big burghs the Town Councils devote £8,000 to technical education and £3,000 to the relief of the rates. In the small burghs, where the money is given out in dribs and drabs, it is being wasted, because it affords no relief to the rates. When a small burgh receives a sum, say, of £5, what can it do with that for the purposes of technical education? You should establish a system which would enable the benefit to be spread over the small boroughs and neighbourhood round about, and then you would no longer have the inequalities you now see—namely, that the counties and the big burghs devote three times as much money to technical education as they do to the relief of the rates, and the small burghs spend ten times as much on the relief of the rates as they do on technical education. This Bill is being generally accepted in this House, and still more in Scotland, as a compromise. The Municipalities came here originally when this scheme was first put forward to demand the whole, but now they say they do not want more than £150,000. The Parochial Boards asked for half the sum to be divided; now they are all petitioning for this Bill, and say they do not grudge the money spent on education. The School Boards asked for £75,000,

and now there is no grumbling over the £60,000 that is proposed, and I have not heard a word of complaint with respect to the Universities. What all these bodies want is a final settlement; they do not want to have this question raised year by year, and I am sure Members of Parliament are the last people who would desire to be beset by importunate suitors, as we have been for the last two months. For my own part, I should have liked to see the money rather differently divided; but the country is prepared to take it fairly as a compromise and accept the scheme.

*(8.39.) MR. BUCHANAN (Edinburgh, W.): This Debate has been somewhat varied in its character, and has ranged over a variety of subjects. That was natural to expect, because the Bill itself is one which deals with a variety of subjects, and embraces within its limits a considerable variety of topics. With regard to the financial part of the Bill I will not say anything except this: that I think it is a mistake, and a bad system of finance, first to raise money that you do not want, and then not to know how to distribute it—to send it down to the Local Authorities for them to scramble for it. That is practically what has taken place, not only in the present year, but ever since this system of finance was inaugurated by the present Chancellor of the Exchequer some years ago. I think that not only shifts the responsibility, which he ought to bear, off himself, but it places a responsibility upon the Local Authorities which they ought not properly to take on their shoulders; and in the result it is certain to lead to a good deal of waste and extravagance. The Lord Advocate has said hardly anything regarding the Grant in Aid to the Town and County Councils, and he has said nothing at all with regard to the sums to be granted to the Parochial Boards for distribution. I am not going to occupy the time of the House to-night by discussing what has been so often discussed before—the crudeness and the wastefulness of these proposals, of simply doling out sums of money from the Exchequer to the Local Authorities to be given in aid of

rates. The gift of £25,000 in aid of the charge for pauper lunatics represents a proposal which on the face of it has most to recommend it; but I was somewhat at a loss to discover on what ground that sum of £25,000 was fixed upon. The Lord Advocate stated that it was necessary to make it proportionate to the demands made by those who are to administer this fund at the present moment; but the additional amount which they are asking now is, so far as I can make out, entirely out of proportion to the increase in the years previous to 1890. By referring to the Report of the Lunacy Commissioners for Scotland, I find that the amount of the charge for this purpose was in 1875, the first year in which the grant was made, £60,000; in 1882 it had increased to £80,000; and in 1889 it increased to £90,000. There is a growth, therefore, for the first seven years of £20,000, for the second seven years of £10,000. The rate of increase had declined, and during the second seven years was not more than £1,500 per annum. Unless some facts can be set before the House and the country to show that there has been lately a very abnormal increase in pauper lunatics—either in the number of pauper lunatics, or an abnormal increase in the expense of maintaining pauper lunatics—it seems to me very extraordinary and very unaccountable that the Government, after the lapse of only three years since the contribution was fixed, fixed on such a large additional sum as £25,000 to give in aid of the charge for pauper lunatics. The Lord Advocate did not explain on what ground that increased sum was fixed, and I think we should like to get some further explanation on that subject. It appears to me that the Bill, not merely with regard to the educational proposals, but with regard to some of its other proposals, is somewhat crudely drawn, and that the sums to be given to the Local Authorities have been fixed more by the rule of thumb, and to satisfy importunity, rather than in accordance with a careful investigation of the real wants of the Local Authorities. Upon the subject of the aid to be given

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to Town and County Councils I shall merely say this: that the Town Councils of Edinburgh and Glasgow have undoubtedly demanded that the sums which they asked for to be given in aid of local taxation should be given to them with a free hand, to be applied by them to such urgent local purposes as may come up requiring special aid. As to the unanimity of opinion among Local Boards with regard to the distribution of this money, of course when you put down a large sum of money for Local Authorities in Scotland or elsewhere and say—"I am willing to give you this money, if you ask me, in reduction of the rates; and the more you ask the more you are likely to get," you are certain to have a unanimous desire on the part of these authorities to obtain as much as they can from the Public Exchequer; but it does not in the least follow that the constituencies of these Local Authorities are equally anxious for the money being given from the Public Exchequer into the hands of these bodies for the abatement of rates. As a single instance of the somewhat different interest taken in the subject between the Local Authorities and the constituencies of these Local Authorities, I may mention that during the last Town Council elections which took place in Edinburgh in the beginning of November last—though there were contests, and very close contests, in all the wards except one in the City of Edinburgh—not a single question was asked from any single one of the candidates as to what he proposed with regard to the distribution of this money. In Edinburgh, and Glasgow also, and in Aberdeen—I am not sure about Dundee—there are a considerable number of public bodies, like the Trades Councils, who are desirous of getting this money primarily for education, and naturally for the aid of that education which they feel the most need of, and which most immediately comes home to them. Their demands have been first that absolute security shall be given not for the present, but for the future, that the sum shall be sufficient for freeing all the elementary standards—that there shall be no risk of any failure of the funds in the hands of

the Central Authority; and, secondly, their demand is that aid shall now be given to evening schools and continuation schools when money is available. From what I have seen of the evening classes at present being carried on in the School Board schools in Edinburgh, I think that if anything can be done—if there is any money available for the further promotion and encouragement of secondary and higher education, those children who show such zeal in attending these classes for the purpose of obtaining instruction in the various subjects after their business hours have, at any rate, the very foremost claim on any aid that may be given. Since we heard the Lord Advocate's speech, just as before it, I think we must all come to the conclusion that the money offered is too little for any really good secondary education scheme in Scotland. The sum of £60,000 is very small compared with the sum of £36,000 which Wales, with a much smaller population and educational needs, gets from the Public Exchequer at this moment. We have got no properly elaborated scheme for organising a scheme of secondary education in Scotland; and no information has been set before us by which we can criticise even the skeleton details laid before us by the Lord Advocate. I think we have a fair cause of complaint against the Government on this score. The first question I have to ask in this connection is, when will the Minute of the Scotch Education Department be issued? Before we go into Committee on this Bill we ought to have this Minute of the Scotch Education Department before us, that we may be able to judge what are the proposals of the Government with regard to secondary education. I should like to ask the Lord Advocate one or two questions—Is there any definition of secondary education, and who is to make it? We ought to have some idea as to what this secondary education is to be, and I should also like to ask the Lord Advocate whether he will explain to us what his proposals are in regard to it? Then, again, who are to select the schools in the country districts to which this secondary education is to be given?

Next arises the question as to the principle which is at the root of the Lord Advocate's proposals—namely, the mode in which this money is to be distributed—whether by a local or by a centralised system? I would urge the Lord Advocate to make some modification in his proposal, so that the scheme should not be worked in particular districts without the full sympathy and support of the Local Authorities. I have been told that the Municipal and other Local Authorities have had no difficulty in working out their scheme in Wales; and I am perfectly certain there would be no difficulty in doing it in Edinburgh and Glasgow. So far also from the County Councils not being, as the Lord Advocate stated in his speech, a convenient basis for educational arrangements, they have shown themselves, if anything, more enlightened than the smaller Town Councils with regard to educational interests in their distribution of the residue grant under the Act of 1890. Altogether the general conclusion to be drawn from the figures on the subject is that the large School Boards and the large County Councils are bodies which can safely be trusted with the distribution of this grant.

(9.12.) MR. SHIRESS WILL (Mon-
trose, &c.): The character of the support which has been given to this proposal of Her Majesty's Government is somewhat remarkable. The Bill gives the Government an opportunity of applying the money to some tangible and useful purpose; but instead of taking advantage of it, they propose to throw the money into the sea—to give it in reduction of rates. There are many good purposes for which it might have been used, and one of those purposes is undoubtedly education—not only that known as secondary education, but also technical education. Although the Government recognise the claims of secondary education, they propose, without rhyme or reason, to fix the amount to be given for it at £60,000, which we on this side of the House say is utterly inadequate. Another objection is that the Government propose to

put the whole matter under the control of the Central Department in London. Notwithstanding what has been said by the hon. Member for South Lanarkshire, the £60,000 for secondary education is unquestionably stereotyped by the Bill, and I have been unable to gather from the speech of the Lord Advocate what are the reasons of the Government for doing so. If I followed the Lord Advocate rightly, some 12,000 children in the burghs and 5,000 in the rural districts will get the benefit of secondary education. Reckoning that at £3 a head that will amount to £51,000, which, with the cost of inspection, will absorb the whole grant. Now that we are dealing with secondary education, is it right to fetter it at the commencement in this niggardly manner? Surely it would have been better to allow some elasticity, so that the movement for secondary education might be allowed to grow as it certainly was destined to grow. I think the arguments of the hon. Member for Partick with regard to placing secondary education under the control of the Central Department in London deserves some answer from the Government. It has been said by the hon. Member for Roxburgh, "Oh, this is not an Education Bill, but an Allotment Bill." I deny that entirely. It is an Education Bill, although you may have starved education in it. The hon. Member for Roxburgh said that it was a distribution of money from general sources. That is a fallacious argument. The money is obtained from Imperial taxation in order to reduce local taxation, and you are taking away a large proportion of the distribution from those who have obtained it—namely, the working classes—and given a greater proportion to the wealthier classes. For these reasons no one has been able to justify the proposals contained in the Bill.

(9.24.) MR. THORBURN (Peebles and Selkirk): The hon. Member who has just sat down must know that this Bill is founded on compromise, and consequently the Government had no opportunity of making heroic proposals. The speech of the hon. and learned

Mr. Buchanan

Member for Aberdeen was more in the nature of an academic lecture on education than a speech on the Bill before the House. It was so full of issues of the most complex character that it occurred to me that the hon. Member was qualifying for the post of Chancellor of the Exchequer in the same Rule Government which he wishes to set up in Scotland. I may say, however, if I had had the disposal of this money, I think I should have been inclined to have used it in a different way to that the Government proposes. In the first place, I do not think that the grant to the Universities is money which should have come out of what we may term our own money, but should have come out of the Consolidated Fund. I should have been inclined to have given a larger sum to the development of secondary and technical education, and more particularly technical education. There cannot be the slightest doubt that foreign countries are far ahead of us in regard to technical education—especially the Germans. They happen to be interested in an industry in which dye forms a very important part. A few years ago the dyers of this country found it impossible, under the system prevailing in it, to get colours to stand the test of the sun and of sea-water. Well, to Germany, and to Germany alone, are we indebted now for having solved that difficulty. I think it is a great reproach to this country that Germany should be so much ahead of us in technical education, and I should like to see largely developed in this country a thorough system of technical education. In my own constituency I have received no end of petitions and letters in favour of the Bill, and I have not had one adverse to the proposals of the Government. For this reason I feel bound, whilst regretting that technical education is not receiving a larger sum of money, under this grant, to support this measure.

(9.28.) MR. ESSLEMONT (Aberdeen, E.): The hon. Member who has just sat down says that he feels bound to support the Government in regard to this Bill, but he does not approve of

their proposals as to how the money should be used.

MR. THORBURN: I said I regretted that the Government had not proposed to use the money in some other form.

MR. ESSLEMONT: My hon. Friend has spoken of petitions in favour of the Bill. Now, I can give him some information with regard to them. The petitions are stereotyped, and have been issued by a Central Authority. In the City of Aberdeen it was proposed that those grants should be applied to the reduction of rates; but a very strong public feeling arose against that proposal, an election of the Town Council took place, and since the election the proposal has not been further pressed. With respect to the deputation of teachers which waited upon the Scotch Members in support of the dedication of the money to technical and secondary education, the gentlemen composing that deputation said they only represented the secondary teachers and the School Boards, and they conspicuously did not represent the rural districts. In respect to the necessity for secondary schools, they said £75,000 was the minimum which would place the existing secondary schools in a satisfactory position. Being interrogated it came out quite clearly that no calculation had been made with regard to the county parishes and the rural districts. Therefore, if you add to the £75,000 which they declare to be the minimum sum necessary for the purpose of equipping existing schools, and putting the teachers in a proper position—if you add to that the rural districts, and what I am most anxious should be taken into consideration, namely, the institution of evening continuation schools throughout the rural districts—it is perfectly clear that the sum of £60,000 is altogether inadequate. It is quite humiliating that Scotland, which has gloried in its interest for education for generations past, should be approached with the idea of giving it *pro rata*—about one-fourth—to secondary and continuation schools of

the sum which has been found to be absolutely necessary to similar work in Wales. The Lord Advocate said nothing about evening schools, and it is not disputed, that unless you have evening and continuation schools, you necessarily exclude a large proportion of the population from receiving any benefit from secondary education whatever. Now, Sir, something has been said about the 12,000 young people attending secondary schools. If the right hon. Gentleman will go to Aberdeen he will find that in Robert Gordon's College over 2,000 pupils are receiving instruction in secondary education, either at day schools or at evening schools. I never heard anything more humiliating than the proposition that only four children per hundred are to go beyond the compulsory classes. I quite admit that we have, by the existing system of education, forced the number down to the very lowest possible point by the pressure we have put on the elementary education. We have turned our teachers so entirely on to this that they have neither the opportunity of teaching, nor have the young persons the opportunity of attending, the schools as they used to do under the parochial system, and what we want to see is that the money is not in those districts given away for the benefit of one or two children. In each school throughout the country we really want a system of secondary education. In that scheme we shall be entirely missing the mark in regard to the demands of Scotland, unless we have evening schools both for secondary and for technical education. Now, Sir, what sum of money is necessary for the mere inception of technical education? There are laboratories to provide, workshops are wanted for applied mechanics, and the other expenses which are unavoidable show that nothing like justice is possible unless we have a sum of at least £200,000. We have outlived the state of things when the Mechanics' Institutes, provided by the benevolence of the people, supplied what was requisite, and what we now want is encouragement and assistance as regards the highest stages of education. There are a considerable number of boys and girls of brilliant

intellectual parts to whom it would be an advantage if they received continuing education at evening schools. How is that to be provided? If they had the best secondary schools within their reach, the parents of these children are placed at this disadvantage: that they cannot afford to dispense with their wages; so that if these children are to have a chance, it must be by opening bursaries and scholarships for which they can compete. Now, Sir, this £60,000 will do no more than supply this purpose, and this purpose alone. The hon. Gentleman opposite, the Member for the University of Aberdeen (Mr. J. A. Campbell), takes broad and enlightened views of educational matters, and I should like to know if he thinks it a fitting thing for the people of Scotland to give away £50,000 in the reduction of rates which will not benefit anybody except the landlord and the capitalist, and that at a time when education is languishing, when Scotland is not only getting behind the Continent, but behind England, and, indeed, last in the race in which at one time she was first. Surely, Sir, there ought to be some increase of this paltry sum of £60,000, which is to be devoted to so enormous a work. Ever since the Act of 1872 Scotland has complained that secondary education was being neglected. Now, here is an opportunity of putting things right. Here is a quarter of a million of money which nobody in Scotland has sought—because the Scotch people are altogether opposed to Grants in Aid—and as there is no general demand for its application in any other direction, let the Government come boldly forward and say that they will spend the money in founding a scheme for the universal abolition of school fees in all elementary schools and for putting within the reach of every boy and every girl in every rural district and parish in Scotland that secondary education which is now essentially necessary in all branches of industry. Now, Sir, as regards the grant of £30,000 to the Universities, I think the money ought to have been provided from some other source, justice being in the first instance done to those educational institutions which

the feeders of the Universities. Meeting the system mentioned by Lord Advocate of secondary education with a graduated fee, I object very much to the introduction into our educational system of any such arrangement. In the Universities these vicious distinctions have been abolished, and will redound to the honour of the Government if they do not countenance revival, but take the step which I suggested and make education free and available to all.

55.) MR. MARK STEWART (Glenbright): The majority of the Opposition are against the grant of money altogether, at any rate in any way that it is proposed to be granted. I do not think, with all submission, that that is the opinion of the majority. My hon. Friend who has sat down seemed to think there is a need to revive distinction between classes of society. The time has passed by when that can be called a vital question. There is no practical distinction in education. The well-to-do parent is quite willing to send his child to a better academy than the village school. The labouring men will do the same thing if they could afford it. My hon. Friend appears to think that £60,000 is all the money Scotland has, or will have, for the purposes of secondary education. If my hon. Friend chooses to examine into the case of the different towns throughout the country, of which not one word has been said, he will find that in many parishes and burghs there are large sums available for the purpose of secondary education. This £60,000 is only to be compared to those funds. It was said, the Lord Advocate said, only a few would attend the schools in the country districts. My experience is that if you have driven children of five and upwards as hard as you can for learning, they do not pursue their studies beyond the Sixth Standard in large towns and large parishes. It would be absolute folly for the Government to give in the first

instance large sums for secondary education when there is nobody to take advantage of it in the rural schools. In the towns it is no doubt different, and there are greater means provided for these schools than is the case in the country districts. I cannot think this is throwing money into the sea in order to relieve the rates in every county or burgh, and, I am perfectly certain, if you poll Scotland to-morrow you will find the vast majority of voters taking this view that they should get under this Bill a large sum for the relief of rates. I received letter after letter and petitions from Local Authorities in Scotland, both urban and rural, urging that the House of Commons might vote a large portion of this amount to the relief of rates. In regard to technical education I am bound to say that it is a very difficult matter to carry out a scheme for such education. I cannot for a moment blame the Government for not devoting a portion of the fund to this particular branch of education. We have tried it in two of the southern counties of Scotland. In company with others I attended many meetings, and we had a scheme sketched out which was thought would be very advantageous. One county rejected it altogether. In the other county we got a considerable portion of the amount voted for technical education. But the country is not ripe for this yet, and you want a large district in which to work out the problem. You want classrooms, professors and lecturers, and a general system which cannot be set up in one day. In due time I hope it will be the case that we shall have such a system, but we are not in a position to talk much about it seeing the country has not taken it up at the present time. A great deal has been said about the Scotch Education Department in Edinburgh, and its being moved up to London. As far as my memory goes it was the Party opposite who were in favour of having it in London. I have spoken on a hundred platforms in favour of non-centralisation, and of having the Education Department in Edinburgh, and not in London. But now that a change has taken place, and seeing we have got a most able Secretary of the Scotch

Education Department, we may well rest satisfied when we are in his hands that this money will be well spent and well looked after. There is one point in regard to secondary education I would press upon the Lord Advocate. There can be no doubt, if we had more money, we could set up separate schools in every district in order that the parents might have their children educated without incurring the cost of sending them a distance. It would only be in large centres, and large centres are often too far removed from the habitations of the working-classes, that you could have those technical schools at present. What I would like would be to give a certain sum to each school in certain districts, which would go to pay the teacher, and enable the head teacher to devote his time and ability to secondary education. If that were done it would bring secondary education within the reach of many persons who cannot now afford to send their children a distance of several miles. I know there is a system by which a School Board or the Board of Education could be formed extending over a wide district, that Board having committees of three or four members. And if there were something of that sort in Scotland more impartial justice might be obtained in distributing this grant. I cannot suppose that a centralised Body in London could actually say where this grant would be required or not required; but there might be a Board in the locality who could suggest to the centralised department in London as to where the money might be voted. In that way you would promote secondary education very largely. I shall conclude by thanking the Government for bringing in this measure. It is a measure which I cannot conceive anybody will seriously oppose. I can conceive hon. Members opposite having a grudge against the Government because they have manipulated the financial affairs of this country in a wise and statesmanlike manner, and to complain that it is only on the eve of a General Election they find they have £265,000 in hand. But, I do not remember the Party opposite ever having such a

Mr. Mark Stewart

surplus to give away to a legitimate object even before a General Election. I cannot conceive anyone who can really oppose this Bill. I can conceive hon. Members in this House taking a stand against it and criticising the proposals of the Government, but I have heard nothing to-night to alter my opinion in any way that this Bill is a good Bill and one likely to benefit the country. The hon. Member for Montrose called this a stereotyped sum of £60,000. I suppose he has not taken the trouble to read the Bill, for if he had read Sub-section 6 of Clause 2, he would see it is no such thing. It is possible this fund may grow and in that case the £60,000 will grow with it. At the same time I would urge upon the Government that the £30,000 allocated to the Universities might have been found somewhere else, and that that sum might have been added to the £60,000 for secondary education. But with that one exception I am satisfied on the whole with this measure, and, I think the reception which it will meet with in the country will be highly satisfactory to Her Majesty's Government.

*DR. CAMERON (Glasgow, College) : It is a pity that my hon. Friend who has just sat down allowed Party prejudice to influence him in charging hon. Gentlemen on this side of the House with being actuated by a grudge against the Government for their success in manipulating the finances of the country. But I thought the term he used was a happy one. He said the Government had this sum at their disposal. They have not; but, as a matter of fact, they are going to raise taxes in Scotland in order that they may have it at their disposal. The Government have adopted what I think is a thoroughly vicious course in raising a tax for some object which they had not defined before raising it. We cannot, however, remit taxation; we cannot remodel the finances of the three Kingdoms, because Ireland has also to be dealt with, and we must deal with the money taken out of our pockets as best we can. Well, the hon. Member allowed his Party spirit, of which he accused us on this side of the House, to run away with him in his historical reminiscences, for it was not a Liberal

Government that removed the Education Department from Edinburgh, it was done by Mr. Disraeli, who was then Prime Minister. The question is, what shall we do with the money? As to the primary question whether it should be disposed of by Motion or Bill, I am decidedly in favour of the latter. Some hon. Members talked about throwing money into the sea, but there is nothing of that sort in the Bill as I understand it. I have no doubt you will get some value for the money proposed to be spent on secondary and University education, for the Universities are the most important technical schools we have. But the proposal to devote the money to the relief of the rates is less open to the charge of throwing money into the sea than any other proposal in the Bill, though the money taken from the taxpayers' pockets will not go back in the same proportion. The poorer classes will be most heavily taxed towards the Equivalent Grant and receive less in the shape of remission of taxation, but they will get something. The question is, whether any proposal has been made by which they would get more than in that way? It is said that remitting rates is simply putting money in the landlords' pockets. I can only say that if there is any proposal to increase the proportion of the rates to be paid by the landlord he opposes it tooth and nail, while the tenant heartily supports the proposal. It is said that the smaller ratepayer will get no appreciable benefit. Will the small ten pounds householder in Glasgow get more than half-a-crown if the money is devoted to any other purpose? We have plenty of money for secondary education in Glasgow, and there is also plenty in Edinburgh; and then what benefit will the small ratepayers in those places get if the money is devoted to secondary education? The proposal to devote the money to the relief of taxation was made last Session, and there have been eight or nine months for people to express their opinion, and that opportunity has not been allowed to slip by those who thought they could put in a claim to the money. If it be true that there was no general agitation in favour of its being devoted to the relief of the

rates, it is equally true that there has been no general agitation in favour of its application to secondary education. What do hon. Members mean by secondary education? The hon. Member for Aberdeen talked about it, and then launched into technical education. Another hon. Member referred to the necessity for a higher class of secondary education because of the superiority of Germany, through technical education, in fabricating dyes. That is not what the right hon. Gentleman means by secondary education. The only speaker who appreciated this secondary education was the right hon. Member for Leeds (Sir Lyon Playfair), who feared that if it were left to the Education Department it would resolve itself into the old-fashioned secondary education of Latin and Greek, which few think of such pressing importance as to be worth the expenditure of a quarter of a million of money raised by taxation. As to the ratepayers, the poor workman who lives in a house of above £4 a year would directly benefit by the remission of taxation to a greater or lesser extent. Below that rent the rates are paid by the landlord, and I do not know if he would take the amount off the rent. But those who live in the £4 to £10 houses are often very poor, and in many cases the rates have had to be reduced by 2s. or 3s., because they cannot possibly pay them. It may be said that 1s. or 2s. is a trifle, but it is always something, and is much more likely to be appreciated than secondary education, especially by persons in a town where there is plenty of secondary education, than even secondary education given for nothing, which he cannot avail himself of so far as his children are concerned. People in such poverty cannot afford to send their children to secondary schools. The right hon. Gentleman said that only one out of six children between the ages of 13 and 16 were likely to attend these schools. Which of the six? In nine cases out of ten the richest. As a matter of fact, secondary education is a luxury the poor cannot afford, and unless you enable them to support themselves, or to make a revenue out of education, I do not see how you can do much good in that

connection with it. I think all the speakers are agreed that we should have some idea of how the £60,000 is to be spent. We know how the money devoted to the rates is to be spent, and though Parochial Boards have been sneered at there is much to be said in favour of allocating a large portion of the money to them. The incidence of parochial rates is practically the same in boroughs and county, and in making any remission of rates you adopt the simplest machinery by giving the money to the Parochial Board. If you give them the money you know what they must do with it. I do not care how the money is given, provided it is given in the way which affords most relief. If the inhabitants of the counties desire secondary education so much let them have it, but in the large cities like Edinburgh and Glasgow, where we have ample, and more than ample, funds for the purpose, both of technical and secondary education—if those funds were well managed—it is absurd that we should have this fresh grant thrust down our throats when we do not want it. If this £60,000 is awarded according to population, Glasgow, which has a population of one-sixth of the whole of Scotland, would, I presume, get £10,000. Why should our £10,000 be appropriated to a purpose for which it is not required? It may perhaps be said then this money need not go to Glasgow, let it go somewhere else. But I contend that if the money is to be divided on the principle of population Glasgow is entitled to £10,000, and why should we be taxed for the benefit of other places? I do not see why you should not make the proposal more elastic, and if we do not want this money for one particular purpose let us have it for another. I do not see how you can carry on this system of secondary education in the sparsely peopled districts, and the only possible way of overcoming the difficulty is to enable the population to reach the efficient secondary centres. But I must say that, for many reasons, I think the best way in which this money could be applied is to the relief of the rates.

*(10.34.) MR. J. A. CAMPBELL
(Glasgow and Aberdeen Universities):

Dr. Cameron

I do not propose to hold the balance between the hon. Member for the College Division of Glasgow and his friends around him. My object in rising is to respond to the appeal which the hon. Member for East Aberdeenshire did me the honour to make to me. I agree with all that has been said in favour of continuation schools and with all that has been said in favour of technical education, and if this were an opportunity for doing all that was desirable for education of all kinds I should support hon. Members in standing out for assistance both for continuation schools and for technical schools. But it seems to me that many hon. Gentlemen have made the mistake of treating this measure as if the Government, in introducing it, were acting with an entirely free hand in the way of assisting education. This is not primarily, certainly it is not exclusively, an education measure, and this money with which we are dealing came to us, when we remember its history, with what I may call a certain presumptive destination in favour of the relief of rates. Last Session there was a general movement in Scotland to secure the whole of this money for the relief of the rates, and I regard the proportion—which is complained of by many hon. Gentlemen as contemptibly small—which is proposed to be given to education as so much saved by the Government from the relief of the rates. I should have been glad if this Bill had proposed a larger sum for education. The sum of £60,000 for the assistance of secondary education would well bear to be increased to at least the sum that has been asked for by the Educational Authorities in Scotland, which is £75,000. If the Government can see their way in Committee to add £15,000 to the £60,000, taking it from the Parochial Boards, for instance, I should be very glad. At the same time I think this sum has been spoken of in an unnecessarily contemptuous tone, for hon. Members should remember that £60,000 is £60,000, and not only that, but it is £60,000 more than we have at present; and although it may not do all that is desirable, I have no doubt it will do a great deal for the

herance of secondary education. I am not able entirely to follow the scheme which was sketched out by the Lord Advocate, and I believe we shall be able thoroughly to understand it until we see it in the form of a printed Minute. But this feature in itself is commendable, that it proposed to build upon existing foundations and to proceed in something of a tentative fashion. Some objection has been made to the proposal that the Education Department should have the bringing forth of the regulations under which the money is to be distributed; it appears to me that that is rather an advantage than otherwise. The Education Department is to do this in Minutes to be submitted to Parliament, and in printed Minutes I think there is more elasticity and less stereotyping—more room for alterations and improvements—than if the details of the plan had been embodied in a Bill. Members have asked what is meant by secondary education; but I think I gathered from the Lord Advocate some notion of what the secondary education is to be. It is to be education suitable for youths of from thirteen to sixteen years of age; it is to be something that is to follow the standards of the Code. I trust that it will be kept in view by the Education Department, that wherever secondary education is organised there will be a satisfactory staff, a satisfactory standard and a satisfactory curriculum, and that nothing that does not comply with these simple conditions will be recognised as satisfactory. Local organisation is certainly necessary to encourage the institution of higher departments in the rural schools, and I hope the time will soon come when that organisation will take a better form. I should be very much pleased to see the interesting experiment that the hon. Member for Chesham (Mr. A. Acland) described so successful in Wales applied to Scotland, but we cannot have it all at once, because we have not the facilities or the material for instituting such a system at present, but there is no reason why, under the system sketched out in connection with this Bill, we should not come to that in a very long time. Objections have

been raised by some hon. Members to the grant of £30,000 to the Scotch Universities on the ground that the money ought to have been taken from other sources, but it appears to me that the Government, in saving something from this sum which was provisionally destined for the relief of the rates, have thought of what was most in need of assistance. No doubt secondary education was more in want of assistance than any other branch of education in Scotland, for what has been done of late years for primary education has rather thrust secondary education back than assisted it. And again, the Universities Act which was passed by Parliament the other year throws great additional expense on the Universities, and without some further assistance it would be impossible to carry out the object of Parliament in passing that Act. Therefore, it was of very great importance to have that assistance for the Universities at once. But in supporting this proposal I hope that I may be permitted to put in a *caveat* against being supposed to accept this as payment in full of what the Universities have a right to seek from the country. The Universities are national institutions; they are also popular institutions; and we do not know what their position may be in the future, or what their circumstances may be, so as to give them a claim upon the Imperial resources; and whatever we do now must be understood as not shutting the door against applications afterwards should circumstances arise to render such application necessary.

*(10.43.) Mr. CAMPBELL-BANNERMAN (Stirling, &c.): I do not entirely share the view of my hon. relative who has just spoken, but I am glad to find that he does not give that cordial and sweeping approval to the whole of the scheme of the Government that has been expressed by only one Member who has spoken. My hon. relative can speak with as good authority on educational questions in Scotland as any man, and he agrees with us that a larger sum ought to be given to higher education. He is not frightened by the difficulty of defining secondary education, and he agrees with us, at least, I agree with him, that

this sum which is to be given to the Scotch Universities ought not to be considered as a final grant for that purpose. But I would point out to my hon. relative that once he votes for this Bill and for the clause in it which gives £30,000 to the Universities, he will have precious little chance to get any more money for that purpose for many years to come. I will endeavour to bear in mind that I took pretty full advantage of my privilege of speaking on the introduction of this Bill, on which occasion I urged many objections to it. And I can say with perfect honesty of this measure—using the classical phrase which Sir John Burgoyne employed as he gazed upon the fortifications of Sebastopol—the longer I look at it the worse I like it. In the first place, there is a difficulty about the amount we ought to receive; and I must say that I have seldom studied and considered a measure of so intricate and confusing a character. There are different funds, and sums are changed from one to the other, until at last it is difficult to see under which particular thimble the pea is to be found. I think it is almost perfectly impossible accurately to explain the particular meaning of some of the sub-sections of Clause 2, Sub-section 5 especially, as compared with Sub-section 6; and I think, in the painful ingenuity of these proceedings, it is easy to detect the master-hand of the Chancellor of the Exchequer. I am rather astonished and not a little sorry that, during the discussion to-night, though we have had the presence of the Lord Advocate and his colleague, the Chancellor of the Exchequer has not been here. Now, the attack that has been made upon the proposals of the Government in this Bill has really been much more an attack upon the policy of the Chancellor of the Exchequer than upon the policy of the Scotch Office. I doubt very much whether the Scotch Secretary or the First Lord of the Treasury would have thought of giving this large sum of money for the relief of the rates in Scotland, because they know very well the position of Scotland and the opinions of the people of Scotland; and they know that it has never been formulated as a general desire until it was

suggested to the people of Scotland by the measure of the Chancellor of the Exchequer. We have urged that this should be made only a temporary arrangement, either by proceeding by Vote instead of Bill or by making the Bill to be effective only for one year; and I admit at once that there is a great deal in the argument that is used that any uncertainty as to the sums to be allotted to them would cause inconvenience to the Public Bodies who were to receive these sums. That is obvious. But the reason we argue for a temporary arrangement is this: that this is obviously, on the face of it, a mere make-shift arrangement, and that it is nothing short of ridiculous that we should stereotype it for all time as the best arrangement that can possibly be found. Undoubtedly, last year we hoped that the Scotch people would indicate to us some particular object for which this money might be used. We have received no such indication; and, therefore, we must make the best use we can, for the time, of this money. It is on that ground most undesirable that we should fix it for all time, until we had an opportunity, at any rate, of seeing whether some better disposal might not be arrived at. There are two or three of the objects of this Bill to which it is proposed to apply the money which are entirely good in themselves, and of which, in themselves, I approve. There is, in the first place, the sum which is to be allocated to the Universities. I approve of that money being given to the Universities; but what I say is, it ought not to come from this source. This is a special wind-fall coming to the Scotch people, and they ought to use it for some special purpose. The money that is due to us for the Universities is a debt owing to the Universities, and ought to come out of the monies voted by Parliament in the ordinary way. Well, then, I come to the proposal for £25,000 being given for pauper lunatics. Again, I say, it is a purpose for which I approve money being given. We do not receive our proper share of money for this purpose, as compared with England; but what are we doing? That, again, is money which ought to be voted by Parliament in order to

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publish something like equality between the two countries; and in the case of England it is a movable quantity, a sum which increases according to the expenditure of the Local Bodies, whereas this sum is to be fixed and embodied by being embodied in this Bill.

The third purpose for which the Bill is, I think, properly applied by the Government is the purpose of education.

I was astonished to hear my hon. Friend the Member for the College of Education (Dr. Cameron) take up the question which has been used before, based upon the supposed ignorance of what secondary education is, and making a distinction between secondary education and technical education. I am sure my hon. Friend, when I speak of secondary education, I include technical education. By secondary education I mean, as I think it was defined by my hon. Friend the Member for Perth on that occasion, education which is beyond the usual standards and beyond the usual age of children, whether it be technical or of any other kind; and in this sense I do not think there is anything either very fossilised or objectionable in the idea of higher education. We object to the Vote for education, because the sum is insufficient to begin with—obviously and broadly insufficient. If the thing is to be done let it be done. We have undoubtedly fallen behind in Scotland in this matter of higher education, of the intermediate education, or whatever name by which it may be called; and when we have this large sum to deal with we should give a large part of it for the purpose of setting secondary education on its feet again. Different proposals have been made by my hon. Friends. The hon. Member for East Aberdeen has urged forcibly the claim of evening schools. I am myself not so much concerned about the interests of thickly-populated parts of the country or of the inhabitants of towns as I am about the interests of the inhabitants of rural districts, who at present are very much left out in the cold in these matters; and undoubtedly it is by evening schools, as much as by anything else, that good may be done for them. In the rural districts to which I have referred, if there is one thing which I should have thought should be very

clear that ought to be the local control. The right hon. Gentleman the Lord Advocate said that the schools in the rural districts were, as I understood him, to be under the control of individual School Boards; but what is wanted now is a very clear statement of the intention of the Education Department as regards the rural district. There is to be a higher department in the ordinary schools, but not in every ordinary school. Well, but we must have some authority in the county, some proper authority responsible to the public, to say in which of the ordinary parish schools a higher department may be most conveniently set up; and in order to choose properly between separate small parishes, I think it would be most desirable to have an authority representative of, and responsible to, the public, which would command much more confidence on the part of the Scotch people than any Minute whatever from the Scotch Education Department, however ably conducted—and undoubtedly it is ably conducted—that Department may be. But now the right hon. Gentleman has detailed to us, in a most interesting speech, a general scheme for the application of this money. We listened to it as best we could, and followed it as best we could; but I would urge upon the right hon. Gentleman that, at least before we get into Committee, we should have some of the *data* upon which he proceeded. I would ask him to present, as a Return to this House, a Paper by which we can study the main heads and lines of the scheme, if we cannot have the actual Minute of the Department—because without that we are really moving very much in the dark; and I think that nothing would conduce more to facilitate, and therefore to accelerate, the discussion and the progress of this question than our being placed in possession of the particulars to which he referred. It is proved, in fact, by the Debate that we ought to have that information. There is one phrase used by the right hon. Gentleman to which I have a great objection. He said “free places” would be given in the schools. That is an old friend of last year. Last summer we heard of “free places” being given in certain schools where the

fees were not to be altogether abolished in England. Nothing, to my mind, is more objectionable than that some of the scholars should be ticketed as free scholars. That is an unfortunate distinction. We have attempted to meet the case in Scotland by the use of bursaries which the children can compete for, and which involve no direct degradation but an honour to those who secure them; but the idea of having a few places set apart as "free places" for the children, like the "free seats" provided in churches, is, I think, inconsistent with that spirit of equality that ought to prevail among the children who are being taught in the same school. Having disposed of the third of the objects which I think are good objects upon which the money is to be spent, I come now to the fourth object, to which I cannot give the same praise. The balance of the money is to be handed over to the Town Councils and County Councils for the relief of the rates. Well, even my hon. Friend the Member for the College Division—while he supports the Bill—admitted that there is some evil in it; that it is not a sound method of administering local affairs, and also that the money which is raised from the working classes will not return to them, in the shape of advantages, in the same proportion as it is taken from them; and that injustice will be done to them in the matter to some extent. But I have already said that this idea of the relief of the rates is an English idea altogether. It was not known or thought of in Scotland until this Fund was created, and until it was known that the Chancellor of the Exchequer was anxious to give it to the Scotch people for this purpose. I have on previous occasions expressed my views on this subject so strongly that I need not repeat them now. I will only suggest that if the Government have not been able to discover any better object for which this money should be applied, they should, even at this hour, give it to Town and County Councils to do what they like with it. We have heard a great deal about the unanimity of Local Authorities in favour of the proposal of the Government, but I should like to point out

that the Town Council of Edinburgh has asked that this amount should not be specially assigned to go to the relief of rates, but that they should be allowed to use it for any purpose for the general good of the community to which they found it could be well applied. If this suggestion to give a free hand to the Local Authorities were adopted, it would, in my opinion, largely modify the excessive hostility which is felt to this part of the measure. The Bill as a whole is so open to objection—what is good in it is so badly done, and what is bad in it is so objectionable—that I am bound to say I will gladly give a vote against it. But that does not involve the rejection of the money. I do not want the Chancellor of the Exchequer to have this money merely to swell his balances; I wish to see it applied to some Scotch purpose more useful and more beneficial than that which is proposed. Therefore, in protesting against this Bill—which is all we can do under present circumstances—we protest against the scheme and the method by which this money is proposed to be applied, and in doing so, notwithstanding what has been said, I am satisfied that we shall have the support of the great bulk of Scotch opinion. I have no fault to find with the Town Councils and County Councils and Parochial Boards who have memorialised in favour of this Bill; they have only been doing what it is their right and their duty to do in asking for a large share of the money; but I think that the more enlightened of them will gladly accept the modified proposal which I have suggested—namely, that the money should go to them without the restrictions which the Government would would impose.

(11.6.) THE SOLICITOR GENERAL FOR SCOTLAND (Mr. GRAHAM MURRAY, Bute): The ambit of the Debate which has taken place has been rather a wide one; but in the observations I have to offer to the House I shall attempt rather to follow the logical order of the topics dealt with than the particular order in which the speakers came. First, I think, comes the speech of the hon. and learned Member for Aberdeen. He began by waving the flag of a national grievance, and by

suggesting that the first thing we had to find fault with was that Scotland does not this time get quite enough money. He based his arguments upon some figures which he had collected for himself, because he saw no hope of getting them from the Committee. I need not follow him through those figures, it will be enough to say that the proportion fixed by the Treasury officials has been borne out by the experience of three successive years. Further, the matter has not been concluded once for all. By the words which now find a place in the Bill it will always be left open till the House comes to a more perfect state of knowledge than it at present possesses. Now, the amount is described as £265,000—

“Or such other amount as Parliament may determine having regard to the amount of the fee grant under the Elementary Education Act, 1891.”

Therefore, if the determination of the Committee on the Financial Relations of the three Kingdoms—the appointment of which, I think, has been delayed by the wish of the Welsh Members to rush into the fray rather than by any action of the Chancellor of the Exchequer—should make for the result arrived at by the hon. and learned Member for Aberdeen rather than the figures brought up by the Treasury officials, Scotland would get the credit of those different figures. Having settled the amount of money with which we have to deal, the next question is what we have to do with it. I need not remind the House of the way in which this Fund has come into existence. The result of the particular genesis of the Fund has been almost to earmark it as one to be apportioned, at least to a certain extent, to the relief of rates. It has been said that this plan of Government Imperial Funds in aid of local rates is a plan which is unsound, and which has never been countenanced by the Members from Scotland. To that argument I entirely demur. When once you have adopted a general policy, I cannot admit that it is to be departed from at the request of the Members for one part of the United Kingdom. So far from these proposals being put forward as a bait by the Chancellor of the Exchequer,

they have been pressed upon him by deputations from Public Bodies, and I can only admire the ease with which Members of the Opposition discount the views of elected bodies when they do not approve of them by saying either that they have lost their mandate, or that upon the question at issue they do not represent the people. Nor can I admit that in this case money has been taken out of the pockets of the poor and put into the pockets of the rich. It has been said that the £100,000 of License Duties are contributed by the rich, and also the moiety of the Probate, amounting to £160,000, making altogether £260,000. The sums given in “bare, naked, and brutal” relief of the rates under the Acts of 1888 and 1889, and under this measure, including the £25,000 which has been given to enable the Lunacy Boards to treat lunatics more generously, amount to £210,000, compared with the available £260,000 which it has been said is the contribution of the rich. Now, Sir, there was a second argument used against the proposition of the Government. It was said—and the matter was more developed on the First Reading than it has been to-day—that the amounts, when you come to consider the actual relief, are so shabby and trumpery, amounting to a penny or twopence, that it was really throwing money into the sea. I entirely demur to measuring the usefulness of a reduction of rates by this penny arithmetic to find out how much the rate actually comes to on anybody's property; and I think I may certainly appeal with confidence to those hon. Members who have had something to do with municipal administration. Take as an instance the great City of Glasgow; experience has shown that when that Municipality sets itself to arrange its taxation, it is not guided and governed so much by what I may call the statutory limit on each particular tax, but it is guided by the rough and ready idea: what will the rates come to? In the long investigation we had connected with the neighbouring burghs, the thing ever fixedly kept before the eye and in the mind was this: what the total amount of the rates would be. Therefore, Sir, when you are given an enlightened

Municipality—and it does not lie in the mouths of hon. Members to say that we are not dealing with enlightened Municipalities—when you are giving them this money you are really giving them a free hand to go on with their various schemes of improvement without having their good endeavours throttled by the feeling that they would raise the rates beyond the given amount. There are many rates which go for the use and the benefit of the poor man, and the poor man entirely. Take a rate like the improvement rate in Glasgow. There an immense work was done, at very great cost, by what I may call the Hausmannising of Glasgow. The real gainers were not the wealthy inhabitants, but the working men, owing to the dens and slums being cleared away. You really give an enlightened Municipality a chance of going on in that way when they would be otherwise fettered if you gave them money to be applied in the reduction of rates. Now, Sir, the next point is as to the £25,000 to the Parochial Boards. I have told the House the justification for that in answer to a question addressed to me by the hon. Member for Caithness. Next, Sir, we come to the Universities, and there, again, I really need not detain the House, because there has been undoubted unanimity to-night; I do not think anybody has grudged the sum set aside for the Universities. The hon. Member behind me has reminded me of the extreme good fortune that puts it within the power of the House at this time to apply money which makes a certainty of practical success of that large measure of University reform that was carried by the present Government. I say also that there again we are doing truly national work, although I think one hon. Member rather misunderstood the observations of the hon. Gentleman the Member for Roxburgh. At the same time, I entirely agree with him that the Universities of Scotland are truly the possession and the appanage of the poor. Now, I pass to that portion of the Bill on which much of the Debate has ranged, as to the provision of a certain sum of money for the purpose of secondary education; and here, Sir, I would like to say that it seems to me

that there has been a fallacy which has lurked behind and has penetrated many of the arguments used by gentlemen opposite. This is not an occasion on which the Government are coming forward to the House with a scheme which they themselves consider, or which they wish to be considered, as a complete scheme of secondary education. This is an occasion on which, there being a sum of money at their disposal, and there being a widespread and openly-expressed desire on the part of the people of Scotland that secondary education should be given a fresh trial, they have seen their way to ask that this money should be devoted to that object. The only test it was fair to ask the Government to meet, and it was fully met in the speech of my right hon. Friend in introducing this Bill, was that the Government were bound to show that the sum they ask the House to devote was sufficient to make an adequate beginning, and that the plan should be so far sketched as to show that it was not an illusory but a practical plan, which could be carried out with the money that it is proposed to devote to that purpose. Now, Sir, the hon. Gentleman the Member for Aberdeen (Mr. Bryce), although he did not for the reasons he stated formally move the Amendment standing in his name, at the same time indicated in his speech that one of the reasons why he did not approve of the Government proposal in favour of secondary education was that he thought any measure of this sort ought to have been preceded by some sort of inquiry into the resources of the country. I already indicated why, from the Government point of view, no such inquiry was necessary. The Government were only called upon to answer two questions, and these two questions have been answered. The first question is: Is secondary education wanted? Sir, the tone of the Debate shows that, in the views of all, secondary education is wanted. Then the only other question is this: Are there funds already available sufficient to meet that want? There, again, I think the answer is not in doubt. No doubt we have in Scotland very many endowed schools which have lately been dealt with under an Act and under a

Commission; but I think we are all agreed that these endowed schools and their funds are, in many instances, tied up according to the wishes of the pious founders, and are not available for any national system of education. Next comes the question, if we want secondary education, and there are not funds enough, and we propose to supply these funds, who are the parties to carry out this scheme? There, again, I think this Debate has exhibited a curious feeling of distrust on the part of hon. Members opposite to the Scotch Education Department. I cannot help again expressing my wonderment that so many of those in whose speeches I have found an extraordinary desire that the State should step in and manage everything yet, when they have any department created, grow somewhat jealous and frightened of it. These hon. Members have got an extraordinary love for their unborn children; but when they come to birth, they turn upon them like the paternal rabbit and devour them. Sir, the Committee of Education in Scotland was the creation of the Liberal Party in 1872. The House knows how it is appointed; and if the prophecies of gentlemen opposite are true, before these arrangements can be carried out, they will be in a position to nominate the Members who are to have the supervision of this scheme. Now, I indicated before that the Government have fairly met the question of whether the plan they have put before the House was a practical plan. I think that the figures given by my hon. Friend behind me show that it is a practical plan. One hon. Gentleman spoke—I think it was the hon. Member for Aberdeen (Mr. Esslemont)—as if that plan only dealt with 4 per cent. of the children, but the figure 4 per cent. was not given by the Government, but by another speaker, and the Government proposal is calculated on 16 per cent., not on 4 per cent. of the available children. It must be kept in mind that this scheme, such as it is, will all be embodied in a Minute, and that Minute will be laid upon the Table of the House; and if there is anything wrong in it, it will then be within the province of the House to put the matter right. It is impossible that a scheme of this sort should rise fully armed

like Minerva in the shape of a Bill. The great thing is to make a beginning; and when that beginning is made, and you see something of the practical working, then the House will be able to have that control of the matter which hon. Members would seem to wish. If this works well, there is no reason why more money should not be got. I am not looking forward to any such change, but certainly it will be in the power of hon. and right hon. Gentlemen opposite, should they find themselves in a majority, to obtain money from other sources. The hon. Gentleman who opened this Debate said he had no desire to attempt to get butter from a dog's mouth. I suppose the difficulty does not arise in respect to dealing with the dog—but then butter melts; but I imagine he will foresee no difficulty in supplementing this money as occasion offers. And now I pass on to a few other sporadic criticisms on the scheme which have been addressed to the House. One hon. Member has complained that there is no provision for erecting secondary schools. Well, of course, our object is a modest one, and we begin by utilising existing schools; and in regard to those burghs which do not possess such schools they will be treated exactly as counties in the formation of educational centres. Then it has been said that all School Boards should have to do with secondary education, that one should not be picked out; but surely, the arrangement being made with due regard to the requirements and ages of the children, there is no grievance in the fact there is a School Board contiguous which has no hand in the government of the school, seeing that the whole thing will, after all, be subject to the Central Authority? Then from several hon. Members there have been claims put forward in the interest of technical education. Of course, technical education is viewed in different senses, but taking it in its ordinary sense I think it must be a matter of common agreement, first of all, with a modest sum of £60,000 we cannot go in for any scheme of technical education; secondly, technical education is a matter which ought not to be mixed up with the Education Department at all. It seems to me

the Education Department are not the proper supervisors of such things as cooking and butter-making. It is rather in another direction we should look for assistance to technical education. Without pledging ourselves, we are anxious to meet the wishes of Public Bodies, and, therefore, with reference to what the right hon. Gentleman opposite has said, we shall certainly gladly consider any proposition that is made to us by Public Bodies, through Members of this House or otherwise, to allow a certain amount of elasticity in the way they should deal with the money which is to be allowed primarily to be applied to the reduction of rates. Then it has been said that the great object to be kept in view is the benefit of poor children. Now, there it seems to me the strong point of our scheme comes in, for as hon. Members will have gathered from the details given by my right hon. Friend, these poor children are to be assisted by having free places allotted to them. I know this drew a storm of criticism from some hon. Members, but I do not sympathise with the remarks about the stigma attaching to a person who, sending his children to school, has a certain amount of assistance given him. I am not aware that any stigma attaches to those who go to Eton or the foundation at Winchester, but I am aware that most distinguished men have had assistance in their education there. For the assistance of poor children only two other alternatives offer—the total abolition of all fees or a system of bursaries. We cannot face total abolition of fees for all schools, and for my part I must prefer a system of free places to the creation of bursaries. Then the hon. Member for Montrose (Mr. Shiress Will) objected to the stereotyping of this particular sum, but I may remind my hon. Friend that in such a case as this, as in making a testamentary arrangement, it is usual and convenient to have a residue clause after stereotyping other arrangements. On another point I may say that it is quite impossible ever to sketch any educational system without an element of permanency, and when the right hon. Gentleman opposite criticises these proposals as makeshifts I think he rather

ignores the words that fell from him in the Debate on the First Reading, when he excused himself in taking the unusual course of discussing a Bill before he had seen it, by saying that the proposals in the Bill were perfectly familiar. Now I think I have dealt with most of the criticisms. [Mr. ESSLEMONT: Evening schools.] I have great sympathy with this part of the subject, but remember the work of evening schools may be divided into two classes. So far as they are elementary schools they are outside our present proposals; but so far as they are secondary schools they fall within the ambit of our proposition, and there is nothing in our scheme to prevent a local teacher from arranging for evening classes if he thinks that is the best means of carrying out the work. Now I have answered criticisms as best I can, and I must remind the House of this. It is not only the case that we have with us the opinion of the people of Scotland, as shown in deputations and petitions, but we have a divided set of opinions from right hon. Gentlemen opposite. This we saw from the first from the spirit of the right hon. Gentleman the Member for Bradford (Sir G. Trevelyan) and the spirit of the right hon. Gentleman the Member for Stirling Burghs (Mr. Campbell-Bannerman). Then we had a sort of Judgment of Paris conducted by the hon. Member for Dundee between the competing claims of the two right hon. Gentlemen for his allegiance. I do not gloat over the fact of these divided counsels, but I look upon them as a compliment to the wisdom of the proposals of the Government. Even the hon. Member for the College Division (Dr. Cameron), who began by telling us the whole thing was a mistake, and who came in like the month of March now expiring, went out like a lamb, saying the money was here, and probably the Government proposed the best method of distribution. It has been hinted that there is some sinister electioneering object in the proposals of the Government, that they have made an attempt to propitiate every class, and this was said more openly in our first Debate than it has been said to-night. I will make hon. Gentlemen a present of that contention. If I have been

Mr. Graham Murray

able successfully to show that the objects to which this money is to be applied are legitimate objects, and that it is applied in a practical way, then even though the result should be to bring electioneering success in its wake, if it satisfies all classes in Scotland I wish for no better test of what is true legislation.

(11.47.) MR. CRAWFORD (Lanark, N.E.): The position of the Government after the criticisms from this side of the House has been made very much more clear by the fresh and able speech we have just heard. But I confess that speech has not removed in any degree the objections which I and some of my friends entertain to the Bill. As time is short, I will address myself to one or two of the new arguments brought forward rather than to the more general features of the Bill sketched out by the Lord Advocate. To one argument used by the Solicitor General I must strongly demur. He said, in reference to the allocation of the money to the relief of rates, that when we urged that there was no demand in Scotland for this allocation of the money we ought not to be listened to, because, he said, this was a matter of general policy, and the Imperial Parliament having decided this, the precedent of England must be followed, and the Scottish people had no right to refuse this. It is a serious way of putting the case, and one I hope the Scottish people will take note of. In the first place, I say it was not we on this side of the House who divided the Scotch money from the English and put it into a separate Budget, but the Chancellor of the Exchequer. He took away the Scotch money and said, "This is the amount you are entitled to," and when he tells us the sum Scotland is entitled to I think he can hardly refuse to concede to us the right of saying how we are to dispose of it. Surely, on a question of devoting the money to local purposes, the wishes of localities should be considered? I am perfectly certain that the Government have misinterpreted the true opinion of the Scottish people, which is that the money ought to be devoted to some more useful purpose than the relief of rates. The proposals of the

Government have been described by the First Lord of the Treasury as a compromise, but I deny that they have that character. It is no more a compromise than a decision on the tossing of a halfpenny; it is a haphazard conclusion, not a compromise arrived at after an attempt to harmonise conflicting views. We do not claim the whole of the money for secondary education, but we say that the amount given is too small, and the great majority of Members are willing enough that you should give the residue to Local Authorities if you give them a free hand in the disposal of it. If you relieve the rates of a county, it is only an inducement to increase the rates; you do not enable them to spend the money in any improvements, however beneficial they might be to the public. With surprise and great regret I learn that the Government have determined to divorce technical from secondary education. Intermediate education is the right word as it is understood in Wales. A county constituency like mine does not want Latin and Greek, but we do want a higher department for technical education set up in our midst. The Solicitor General admits this is not a complete scheme for secondary education, and the Government, having no definite idea for the disposal of this sum of £60,000, propose to hand it over to the Scotch Education Department. Now that is not the way to deal with such a question. Scotland is not so abundantly wealthy that this £60,000 is not an important sum. It is too small for the purpose, but it would be a great and serious loss to the country if it were uselessly and thoughtlessly expended. It is not too much to say that for the cause of secondary education the misuse of this money might be worse than no money at all. It would be easy, with the full consent of the great majority of Scotch Members, to take a sufficient sum from other objects and devote it to secondary education. The Solicitor General sneered at our demand that representative bodies should control the administration of this money. "Why," he said, "should you not be satisfied with the Education Department?" We have not sufficient confidence in that De-

partment. In the case of elementary education we have administration by local representative bodies, though, to a certain and proper degree, they are under the supervision of the Education Department, as such bodies should be. Here is a golden opportunity to organise a system of secondary education, and depend upon it, though it be not done to-day, it will have to be done to-morrow. What is there to prevent the creation of such a system as works successfully in Wales for intermediate education, the conditions being more favourable in Scotland? There is, the Lord Advocate said, to be a certain local initiative. But how in rural districts will you have an agreement so that there may be a local initiative? The School Boards are duped if they think they are going to be taken into confidence by the Education Department; they will have nothing to do with the matter, it will be entirely and absolutely handed over to the Education Department. That is the proposal to which we have the strongest objection, and which I am sure when it comes to be thoroughly understood in Scotland will be emphatically condemned. But for the lateness of the hour I would prolong my remarks, for I feel the deep importance of the subject to Scotland. Mistakes will be made which will be very difficult to repair, and unless in Committee the Government make concessions they will leave to their successors a legacy difficult to deal with.

Motion made, and Question proposed,
 "That the Debate be now adjourned."
 —(Mr. Provand.)

MR. A. J. BALFOUR: I am aware of the great interest felt in the Bill, but I may remind the House that we had a very long Debate on the introduction of the Bill, and we have had a full night's discussion on the Second Reading. Most of the points raised may very well be discussed in Committee. I hope the House will feel that if we adjourn the Debate now the Second Reading may be taken after a further brief discussion.

Motion agreed to.

Debate adjourned till Monday next.

Mr. Crawford

BURGH POLICE AND HEALTH (SCOTLAND) BILL.—(No. 230.)

SECOND READING.

Order for Second Reading read.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): No one can be more strongly in favour of proceeding with the Bill than I am, but at the same time I must object; the Bill is not yet in the hands of Members.

Second Reading deferred till Monday next.

TAXES (REGULATION OF REMUNERATION) BILL.—(No. 219.)

SECOND READING.

Motion made, and Question proposed,
 "That the Bill be now read a second time."

(12.0.) MR. BONSOR (Surrey, Wimbledon): I hope objection will not be taken to proceeding with the Second Reading. I and several other Members have given notice of objection to the Bill, because we have feared that friction would arise between the Treasury and the Commissioners of Taxes in the appointment of subordinate officers. But my right hon. Friend the Secretary to the Treasury has given me an assurance that he will in Committee introduce Amendments which will absolutely remove all possibility of such friction, and therefore I hope the Second Reading may now be taken, for it will enormously benefit a large class of public servants. I hope the Bill may be allowed to go through.

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): It is of importance to the class concerned that the proposals in the Bill should take effect in the current financial year, but I fear that cannot be done if the Second Reading is delayed.

It being after Midnight, and Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed upon Monday next.

COLONIAL PROBATES BILL [*Lords*.]
(No. 231).

COMMITTEE.

Considered in Committee.
(In the Committee.)

Clause 1.

DR. CLARK (Caithness): I do not know that I have need to object to the Bill, but I think we might have some explanation of it.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The Bill is a very simple one; it gives effect to the wish expressed in the Colonial Conference of 1887. Several of the colonies—Victoria, New Zealand, South Australia, West Australia, and Tasmania—have passed Acts, providing that where a competent Court in this country has granted probate or letters of administration for deceased persons having property in those colonies they shall have the same effect as if they were granted in the colonies. This Bill proposes reciprocal legislation, and provides that the Queen may, by Order in Council, on being satisfied that the Legislature of any British possession has made adequate provision for the recognition of probates and letters of administration granted by Courts of the United Kingdom, direct that this Act shall apply, so that probate and letters of administration granted in the colony for persons having property in this country may be recognised here.

SIR H. DAVEY (Stockton): Does the right hon. Gentleman propose that probates and letters of administration issued in a colony shall be recognised here without registration?

BARON H. DE WORMS: Yes, they must be registered.

Clause agreed to.

Bill reported without Amendment; read the third time, and passed, without Amendment.

EAST INDIA OFFICERS BILL.
[*Lords*.]

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 246.]

GAMING ACT (1845) AMENDMENT BILL. [*Lords*.]

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 247.]

PUBLIC LIBRARIES LAW CONSOLIDATION BILL.—(No. 143.)

Order for Committee read, and discharged.

Bill committed to a Select Committee.

MOTIONS.

SEDUCTION BILL.

On Motion of Mr. Patrick O'Brien, Bill to amend the Law relating to the Seduction of Women, ordered to be brought in by Mr. Patrick O'Brien, Mr. John Redmond, Mr. Walter M'Laren, Mr. Octavius V. Morgan, and Mr. Dillwyn.

Bill presented, and read first time. [Bill 254.]

CHARTERED ACCOUNTANTS BILL.

On Motion of Sir Horace Davey, Bill to amend the Law relating to Chartered Accountants, ordered to be brought in by Sir Horace Davey, Sir Albert Rollit, and Mr. Dixon-Hartland.

Bill presented, and read first time. [Bill 255.]

ADJOURNMENT.

Motion made, and Question proposed,
"That this House do now adjourn."

FINANCIAL RELATIONS (ENGLAND, IRELAND, AND SCOTLAND) COMMITTEE.

(12.12.) DR. CLARK: I wish to ask if the Government have really any intention to move the appointment of the Committee on the financial relations of the three countries? The Motion stands on the Paper for to-night, and for three years this Motion has been in suspense and has been brought before us at such times when it has been impossible for us to consider it. Is the Committee really to be appointed? We have been told in reference to Bills in which these financial relations are concerned, that if there is anything wrong in the proportion of grant for Scotland, then this shall be set right by and by when the Committee have

reported, but the Report of the Committee will never get us back our arrears for these years. Scotch Members feel that they are being defrauded by the course the Government are pursuing, and it is time for the First Lord to say if the Government really mean that the Committee shall be appointed. The Welsh Members insist that the position of Wales shall also be discussed by the Committee and I think they are quite right. The only way to secure the appointment of the Committee is to make the Motion some night at eleven o'clock. I believe the discussion would be concluded in an hour, but it is not the slightest use putting down the Motion night after night when it cannot possibly be taken.

(12.14.) MR. A. J. BALFOUR: I quite agree with the hon. Member that there is a certain amount of inconvenience in having the Motion down day after day, and Session after Session. But the Government are not to blame for that. If we are unable to get the Second Reading of a Bill to which on principle there is no opposition after eight long hours of Debate and after a long discussion on the First Reading, it is not likely that we can find time to discuss at length an intricate and controversial question connected with the financial relations of the various parts of the United Kingdom. The hon. Member suggests closing another Debate at eleven o'clock, but we have no certainty that a Debate on this subject commenced at that hour would conclude at twelve o'clock, and the result would probably be that we should waste an hour and get no nearer to the appointment of the Committee. Under the circumstances, I am afraid, seeing how Government Business is in arrear, that I cannot give such a pledge as the hon. Member asks for.

(12.16.) MR. SEXTON (Belfast, W.): The appointment of this Committee was promised in the course of the Budget Debate in 1890, and part of the grievance is ours. I must say on behalf of the Irish Members, that the blame for the non-appointment of the Committee is with the Government alone. The right hon. Gentleman

Dr. Clark

speaks of the subject being intricate and controversial, but the Motion is for the appointment of a Committee and surely there is nothing intricate about that whatever may be case with the labours of the Committee when appointed. The point of controversy is the inclusion of Wales, and this must be determined after a comparative brief Debate. Three Sessions have been allowed to pass, and no reasonable attempt has been made by the Government to settle the question. I am bound to say I think the Government are trifling with the House, and this is a mockery of the Irish and Scotch Members whose interests are primarily concerned. If the Government do not intend to take any definite action in this matter it would be better that they should withdraw the Motion altogether.

MR. A. J. BALFOUR: May I ask the Welsh Members would be satisfied with half an hour's Debate?

MR. S. T. EVANS (Glamorgan, Mid): That is not a reasonable proposition seeing that the right hon. Gentleman has himself said it will require more than an hour.

MR. A. J. BALFOUR: I said it would take more than that. I do not say it requires that time.

MR. S. T. EVANS: I will not attempt to define the distinction. We desire that Wales shall be included in the Investigation, and it is only a pedantic objection of the Chancellor of the Exchequer stands in the way. The right hon. Gentleman argues that Wales has no claim to be considered a separate entity.

MR. SPEAKER: The question cannot be debated now, though a question may be asked.

MR. S. T. EVANS: I was endeavouring to induce the right hon. Gentleman to accept the Amendment standing in my name. If he will not do that, then let him take the discussion at a reasonable hour in the evening but he may be assured that there is not the slightest intention on the part of Welsh Members to withdraw the Amendment.

House adjourned at a quarter after
Twelve o'clock

HOUSE OF LORDS,

Friday, 1st April, 1892.

SITTINGS OF THE HOUSE.

QUESTION.—OBSERVATIONS.

THE EARL OF KIMBERLEY : Might I ask the noble Marquess when he proposes to adjourn the House for the Easter Recess, and for how long?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I think the noble Lord will sympathise with me when I say that we have not been overburdened with work, and that, at the pace the House of Commons is going, an immediate excess of work is not probable. I therefore propose that we should adjourn on Thursday next to Monday the 2nd of May.

DURATION OF SPEECHES IN THE
HOUSE OF LORDS BILL. [H.L.]

SECOND READING.

Order of the Day for the Second Reading, read.

***LORD DENMAN :** My Lords, I see no notice on the Orders of the Day for the postponement of this Order, and, as it has been for three years before your Lordships in one shape or another, I trust you will have patience with me whilst I explain the reason for which I have endeavoured to bring it forward. My Lords, since the last postponement of it a noble Lord on this side of the House made an extremely long speech, and during the whole of that speech it was impossible to say on which side his vote would be given. Well, my Lords, no noble Lord would have interrupted the speaker in the course of that Debate. Now this Motion of mine is really the most inoffensive measure that could possibly be submitted to any Assembly. My Lords, you have an hour glass for the time of taking a Division,—two minutes; you might have an hour glass as the preachers formerly had their hour glass and turned it over, and sometimes spoke for two hours. My Lords, I have bestowed great pains upon this Bill, and if it is read a second time it will neither commit you nor myself to any further steps in the matter. It is not

intended as an insult to the House, but it really is for the protection of those who do not wish to hear long unnecessary speeches. My nearest neighbour in Scotland has introduced a measure for reducing speeches at the County Council to ten minutes; and the noble Lord, the late High Commissioner of the Church of Scotland, wished it to be 15 minutes. But, my Lords, there was nothing to take away the invidious position of the chairman, because he alone would have to pronounce whether the time were up or not. What I have seen at the Diocesan Councils has operated extremely well; it has given offence to no man; and at Westminster Town Hall I was present at a meeting at which Dr. Cameron was chairman, when a foreigner wished to exceed his time for his paper, and was very indignant at being stopped. I ventured to interpose, and, I believe, gave offence to no one. My Lords, in a large meeting of delegates from the different Poor Law Unions the important question was discussed whether out-door relief should be altogether refused or granted with discrimination. Twenty-eight speakers spoke at that meeting, 18 for discrimination and ten against everything but the offer of the house to those who probably would not accept it. This occupied only one day; but, if unlimited time had been given to the speakers, of course a great deal more time would have been occupied. My Lords, I ventured to include the other House, but I was told that it was quite beyond the power of this House. At the same time it is perfectly well understood that, if any measure is introduced in this House, it can be adopted, if palatable, in the other House. That was the case with the Newfoundland Fisheries Bill, and it is a pity it did not begin in the other House. My Lords, I have had a very long experience in this House. I have spoken less, certainly not more often, than any other Member of the House, and I defy anyone to deny that proposition: and, if it be said that I have brought forward this Bill with any selfish motive my position shows that I have no such motive. My Lords, I earnestly beg you not to postpone the Second Reading. I shall be for ever grateful to you if you read the Bill a second time; but, if you do not let it pass, I shall think it is from a personal

antipathy to myself, and a determination that nothing which I propose shall ever be accepted. My Lords, with the utmost respect, I beg to move the Second Reading of this Bill.

Moved, "That the Bill be now read 2^a."
—(*The Lord Denman.*)

THE MARQUESS OF SALISBURY: I trust the noble Lord will not draw, from any conduct which I may pursue, any such gloomy inferences as those he has suggested. He appears to me, I confess, to be very similar to those saints of old of whom we read, who were accustomed to inflict upon themselves the most frightful sorts of discipline on account of sins from which they were notoriously free. I do not think that this House is guilty of many long speeches. The noble Lord appears to have heard some noble Peer make some long speech,—I wondered who it was, and I do not know now who it was. I think he might almost as well bring in a Bill to prevent too much business being transacted in this House, or the attendance on these Benches being too large. As the noble Lord says, the Bill will do no harm. I believe that is true. But, on the other hand, I am afraid it may give unintentional offence. I think that, when Members of the House of Commons read what we have been doing in our votes, they will say to themselves: "It is perfectly impossible that the House of Lords can have been serious in intending to apply to themselves this prohibition against long speeches,—it must have been a covert and circuitous way of reflecting upon the characteristics which some of us believe belong to the House of Commons;" and I am afraid that that Assembly might take it ill if we attempted, in this indirect fashion, to correct a deficiency which public opinion sometimes charges upon their proceedings. Desiring therefore to maintain perfect peace between the two Houses, I feel I have no other course but to move that this Bill be read a second time this day six months.

Amendment moved, to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Marquess of Salisbury.*)

On Question whether ("now") shall stand part of the Motion, resolved in the negative.

Bill to be read 2^a this day six months.

Lord Denman

LORD DENMAN: I beg leave to say that I should have wished the House to be divided upon this point. I really do not think I have deprived myself of the right to name a Teller. I have never called upon any noble Lord to support me, or done anything but what is open and straightforward; and to be deprived of the power of seeing which noble Lords wish to speak at great length, and which do not, is really a very great deprivation.

LOCAL AUTHORITIES (ACQUISITION OF LAND) BILL.

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD BASING: I have to ask your Lordships to give a Second Reading to a small measure which has passed the other House of Parliament, and has also I believe received the sanction and approval of the Government. It is a Bill to extend to all assurances by deed of land to Local Authorities for any purpose for which such Authorities are authorised to acquire land, certain exemptions from the provisions of the Mortmain Act which have been granted already in the case of elementary schools, public museums, dwellings for the working-classes and other such objects, the effect of which would be, if those exemptions were in force, to render it impossible for the conveyance of land to be made to any Public Authority for any public purpose except upon valuable consideration, or unless twelve months expired before any use could be made of it. By way of illustration I may say that one of the objects of the Bill is that Country Road Authorities may thus acquire land by deed from neighbouring proprietors who may be willing to give it without selling it, for the purpose of improving their roads, straightening and rounding off corners, and so on. I believe the want of this provision has been found inconvenient in many cases. I can conceive of no possible objection to its being granted in the cases described—namely, where Local Authorities are authorised to acquire the land.

Moved, "That the Bill be now read 2^a."
—(*The Lord Basing.*)

LORD HERSCHELL: My Lords, I only want to say a word in support of

this Bill. I think it is a useful measure, although the noble Lord opposite said it was a small one. I should have introduced provisions of this sort last year into the Mortmain Bill, which I introduced myself; but for the fear of weighting it too much I strictly confined it to matters that appeared then to be more or less urgent. I am quite sure it will be a useful reform to amend the Act in this manner.

THE LORD CHANCELLOR: My Lords, I do not want to interrupt the harmony and agreement that appears to have been entered into between my noble Friends on my right and on my left; but I must say that I regard this Bill with something like despair. We thought that we had settled the Mortmain Act, and I confess that I have never myself been very much enamoured of the Mortmain Act; but if once you are to have a codification of the Mortmain Act, and then you are going little by little to introduce exceptions, I do not know to what extent the codification of any branch of the law will extend. I must say I very much protest against the mode in which this alteration is effected. Is there any noble Lord in the House who knows the extent and degree to which this Act will extend? I do not believe there is one of your Lordships who does, for this reason: that instead of saying plainly what is wanted, by this Bill Section 6 of the Mortmain Act is to apply—

“Not only to the assurances therein mentioned, but also to any assurance by deed of land to any Local Authority, for any purpose or purposes for which such Authority is empowered by any Act of Parliament to acquire land”;

and then,

“For the purpose of this Act, ‘Local Authority’ has the same meaning as in the Local Loans Act, 1875, and ‘assurance’ has the same meaning as in the Mortmain and Charitable Uses Act,” 1888.”

I cannot help thinking that this is a very bad example of a very bad system of legislation, by the reference of one Act to another without giving in the slightest degree the true effect and meaning of the Act as it is proposed to be passed. And I myself do not know (and I must confess the same ignorance that I have imputed to your Lordships) to what extent it will go. I must say to my noble Friend in charge of the Bill that, between

this time and the time when it comes before the Standing Committee, I will take care to make myself acquainted with it; and, although I do not propose to oppose the Second Reading, I shall certainly see whether it will not be necessary to excise some of the powers by this Bill given to any Local Authority for any purpose whatever. It seems to me much too wide, and, at all events, to require very careful consideration.

***LORD HENNIKER:** My Lords, I do not wish to make any remark of course upon what the noble and learned Lord on the Woolsack has said. He knows far better about these things than I can pretend to do; but so far as this Bill concerns the Department I represent in this House, there is no objection whatever to the Second Reading. At the same time, it is thought that a great many Amendments may be brought forward when the Bill comes into Committee; and of course when notice is given of those Amendments they will be considered.

LORD HERSCHELL: I may perhaps be allowed to say one word, with a view to the next stage, with reference to my noble and learned Friend’s observations about the codifying of the Mortmain Laws. My noble and learned Friend does not mean of course that, because you codify, you are never to amend; but what he has said does suggest, I think, that it would be desirable to consider whether the title of the Bill should not be altered. It really is an Amendment of the Mortmain Act by the extension of Section 6, and the definition of “assurance” is that which is in the Mortmain Act; and I suggest that the title, instead of being the “Local Authorities (Acquisition of Land) Act,” should be the “Mortmain and Charitable Uses Act, 1892, to be read with the principal Act.” I think that would be an improvement in view of the fact that the law has been codified.

THE MARQUESS OF SALISBURY: With regard to something that fell from my noble and learned Friend as to legislation by Reference, I wish to throw out for consideration by the authorities in this House,—I do not like to propose it until it has been sufficiently considered,—whether it would not be possible to adopt a useful reform in that respect into our proceedings here. Nobody imagines of course that the system of legislation by Reference is more convenient for those

who have to administer or interpret the law; but it is much more convenient for those who have to pass the law. It is found that many Bills actually would not pass at all unless some such contrivance were introduced. I believe we owe to Lord Thring the original devising of that plan, or at least the extending of it to a large area; but I would suggest that, without interfering in the least with the salutary practice of passing Bills in that way, when they get to the last stage of this House we should then substitute for the Reference the quotation from the enactment to which we refer, which would very greatly assist the researches of those who have afterwards to ascertain what the law is, and how it is to be administered. The only evil would be that it would add slightly to the printer's bill; but I do not think that would be a formidable drawback.

Motion agreed to; Bill read 2^a accordingly, and referred to a Committee of the Whole House on Tuesday next.

HARES BILL.

THIRD READING.

Order of the Day for the Third Reading, read.

LORD DENMAN: My Lords, there is an extraordinary inconsistency in this Bill, for hare hunting is prohibited during the whole of March. Living in a very inclement county, we find it very difficult even to begin hare hunting, because the frost comes and stops us; and now we shall be obliged to stop before March. It is said in the almanacks that hare hunting ends on the 20th of February. It has gone on a great deal longer; but, at the same time, masters of harriers must recollect that they will be subjected to a penalty if they hunt the hare after February. My Lords, I am extremely glad to see this protection afforded to hares, for I much prefer stag hunting to any other sport. My Lords, I point this out,—that masters of harriers may prepare and get as much hare hunting as ever they can. I am very glad the Bill is passed. The late Clerk of the House, the most distinguished Clerk that ever lived, Mr. Cooper, was so fond of hares that his history of his attachment to them, and their attachment to him, makes me very glad when anything can exempt them from

The Marquess of Salisbury

pain: and we know that being torn in pieces must be dreadful pain. It has always been my object to be at the end of a run and take the hare up and break its neck, and I should like to break anybody else's neck who opposes the Bill.

Bill read 3^a (according to order), with an Amendment, and passed and returned to the Commons.

House adjourned at ten minutes before Five o'clock.

HOUSE OF COMMONS,

Friday, 1st April, 1892.

The House met at Two of the clock.

PRIVATE BUSINESS.

BIRMINGHAM CORPORATION WATER BILL.—(by Order.)

SELECT COMMITTEE.

MR. J. CHAMBERLAIN (Birmingham, W.): I rise, Sir, to a point of Order. The hon. Member for Mid-Glamorgan (Mr. S. T. Evans) had yesterday a Notice on the Paper of a Motion to add two Members to the Select Committee upon the Birmingham Water Bill, both of them to be chosen by the House, and he named the hon. Members whom he desired to add. I then objected to the Motion, which accordingly stood over for to-day. The Motion appears on the Paper to-day in a totally different form and raises a different question. The hon. Member now proposes that two Members shall be added to the Committee, but he nominates only one Member to be added by the House, leaving the other to be nominated by the Committee of Selection. This raises a wholly different issue, and is not the Motion which stood over for to-day on objection being taken yesterday.

*MR. SPEAKER: The alteration has not been made in consultation with me; and certainly, as it stands, it is a new proposition, and if opposed must stand over for Monday.

MR. J. CHAMBERLAIN: I oppose it.

MR. S. T. EVANS (Glamorgan, Mid.): It appears on the Paper "by Order," Mr. Speaker.

***MR. SPEAKER**: It does not appear by Order in the altered form, and that it is so printed on the Paper is an error.

MR. S. T. EVANS: By the indulgence of the House I may be allowed to say that I made the alteration to meet the view, as I thought, of the right hon. Gentleman himself, and if I may appeal to the right hon. Gentleman the matter might as well be discussed to-day.

***MR. SPEAKER**: Order, order! The matter is not one to be settled between the hon. Gentleman and the right hon. Gentleman, but is a matter for the House at large.

QUESTIONS.

LETTER CARDS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General what is the amount paid by his Department per million for the new letter cards to the contractors who supply them?

***THE POSTMASTER GENERAL** (Sir J. FERGUSON, Manchester, N.E.): The price of the letter-cards is 12s. 4d. per thousand, which amounts to £616 13s. 4d. per million. There is a prospect that lower terms may shortly be arranged.

INLAND POSTCARDS.

MR. HENNIKER HEATON: I beg to ask the Postmaster General whether he will supply the public with an inland postcard of a size uniform with that of the postcard for the Continent and Colonies; and whether he is aware that the inland cards sold on the Continent are generally much larger than the British inland card?

***SIR J. FERGUSON**: The dimensions of the inland postcard have been the same from the time of its introduction in 1870, and may be considered to afford a reasonable amount of space for a written communication at half the ordinary rate of letter postage. The inland cards in use abroad are of somewhat larger size. The new card for transmission abroad which comes into use in this country to-day is of a size midway between the card which it replaces and the inland card.

THOMAS FLINN, V.C.

MR. D. SULLIVAN (Westmeath, S.): I beg to ask the Financial Secretary to the War Office whether he is aware that Thomas Flinn, formerly of the 64th Regiment, is now a pauper inmate of the Athlone Workhouse; that he holds the Victoria Cross for valour, and wears also the medals for Persia and India, having been present at Cawnpore and Lucknow, where he was severely wounded in attacking some guns, one of which he brought off himself; whether he is aware that Flinn was awarded a pension of £10 a year for his valorous conduct, which sum the Guardians of the Athlone Union appropriate towards his maintenance; and whether some small increase could be made, so as to enable him in his old age to end his days more comfortably than in a workhouse?

THE FINANCIAL SECRETARY WAR DEPARTMENT (Mr. BRODRICK, Surrey, Guildford): This case is well known at the War Office. Flynn did very gallant service and was awarded the Victoria Cross, but I regret to say that he was discharged with a very bad character, he having been entered in the defaulter-book 47 times, and tried by Court Martial 15 times. The poor man is a victim to drink to such an extent that when he had the control of his money he only left the workhouse for the purpose of drinking up his annuity as soon as received. It would consequently be useless to consider his case for an increase.

SALE OF POSTAGE STAMPS.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the Postmaster General whether a licence is required for the sale of postage stamps; and whether shopkeepers in rural districts in Ireland, who accept stamps in payment of goods, can sell such stamps?

SIR J. FERGUSON: Under Section 4, Sub-section 1, of the Stamp Duties Management Act, 1891, no person not licensed by the Commissioners of Inland Revenue, except persons employed in post offices, may sell postage stamps to the public. Shopkeepers who accept stamps in payment for goods can therefore sell the stamps to the Post Office only, on the terms given on page 30 of the *Post Office Guide*.

REFUSAL TO ISSUE A GUN LICENCE, IRELAND.

MR. MACDERMOTT (Kilkenny, N): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, in the month of September last, Sergeant Morris, of the Royal Irish Constabulary, stationed at Rossmore, County Galway, seized on a gun belonging to Mr. John S. Burke, of Clondagaff, County Galway, notwithstanding that Mr. Burke had obtained a licence for same, merely because the licence had been lost during Mr. Burke's eviction; and whether he was justified in so doing; if he will explain why Mr. Hickson, R.M., subsequently refused to issue a new licence to Mr. Burke; and whether it is proposed to refund the amount which Mr. Burke paid in the month of August for the Excise Licence Duty for the gun for twelve months?

***THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.):** The gun referred to was taken by the police authorities because the holder was unable to produce his licence. The Licensing Magistrate did, in the exercise of his discretion, refuse to issue a new licence. The Inland Revenue will, no doubt, give due consideration to an application for the return of the amount.

MR. MACDERMOTT: On what ground was the licence refused?

***MR. JACKSON:** I understand it is not necessary to give the ground for a refusal to grant a licence of this kind.

SUB-POSTMASTERS AND COUNTY COUNCILS.

MR. S. T. EVANS (Glamorgan, Mid): I beg to ask the Postmaster General whether sub-postmasters who are not occupied solely with Post Office duties are eligible as candidates for the position of guardians, overseers, and members of Local Boards, while they are ineligible as candidates for County Councils; if so, what is the reason for the distinction made in the case of County Councils; and whether the Department can see its way clear to abolish the distinction and the restriction upon such sub-postmasters?

SIR J. FERGUSSON: The case is as stated in the question. Until December, 1888, there was no rule prohibiting Post Office servants from taking part in parochial or municipal matters. In

December, 1888, when County Councils were first established, the late Postmaster General made these an exception to the general rule. Postmasters (including sub-postmasters and letter receivers) were prohibited from mixing themselves up in matters connected with County Councils. Later on the Treasury issued a Minute prohibiting all Civil servants from being candidates for County Councils. As to the abolition of the restriction, this is obviously a matter now not for the Post Office alone, but for the Government.

MR. S. T. EVANS: May I ask what raises the distinction between County Councils and other Local Boards?

SIR J. FERGUSSON: Well, political matters are sometimes mixed up with the proceedings of County Council elections, and it is undesirable that persons in the position of postmasters should take a prominent part in such matters.

THE CONTROL OF THE POLICE.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Secretary of State for the Home Department if there should be any abuse of authority on the part of policemen or Inspectors of police in England in the administration of the law, which Minister of the Crown is responsible to this House for such abuses, and whose duty is it to answer questions in this House relating to the same?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): In reply to the abstract question of the hon. Member, I have little to add to what I said yesterday. With regard to the action of the Metropolitan Police, the Secretary of State is responsible to this House, and is bound to answer questions relating to the manner in which they have exercised their authority. With regard to the provincial police, the case is different. The Secretary of State is the Minister to whom Local Authorities refer for advice and guidance, and who in proper cases would direct legal proceedings to redress violations of the law; but neither he nor any Minister of the Crown is responsible to this House, in the strict sense of those words, for abuses of authority in the administration of the law by the provincial police, who are under the control of the Local Autho-

rities. Those Authorities are responsible for taking the proper disciplinary measures. When questions are put relating to the action of the provincial police, the Secretary of State, as a matter of habitual Parliamentary courtesy, obtains the desired information from the Local Authorities in proper cases, and communicates that information to the House.

FEMALE PRISONERS.

MR. H. CAMPBELL (Fermanagh, S.): I beg to ask the Secretary of State for the Home Department if it is true that during last year 66 women were either released from prison or had their sentences reduced in view of their approaching confinement?

MR. MATTHEWS: During the last financial year for which there are statistics the number of women who were released before the expiration of their sentences on account of advanced pregnancy was, not 66, but twelve. In these cases the probable date of the confinement was such that, if it had been allowed to take place in prison, the women would have had to remain there after the expiration of the sentence.

THE PREROGATIVE OF MERCY IN IRELAND.

MR. WEBB (Waterford, W.): I beg to ask the Secretary of State for the Home Department whether, in the case of the boy James Handley, aged 15, now under sentence of death at Wicklow as "a party to" a murder, he will act upon the precedent for commutation, on the ground of youth, afforded by the case of Constance Kent, formerly convicted of murder and now at liberty?

MR. MATTHEWS: The exercise of the prerogative of mercy in Ireland rests with the Lord Lieutenant, to whom any memorial on behalf of a condemned person should be addressed.

MR. MAC NEILL (Donegal, S.): Perhaps the Chief Secretary will take it into his consideration?

MR. JACKSON: The ordinary and proper course is to memorialise the Lord Lieutenant.

MR. MAC NEILL: Will the right hon. Gentleman tell me, is the prerogative of mercy presumably exercised by the Lord Lieutenant or the Minister?

MR. JACKSON: If the hon. Member will put down the terms of his question I will give him an answer.

INDIAN OFFICIAL EMOLUMENTS.

MR. MAC NEILL: I beg to ask the Under Secretary of State for India whether the Secretary of State for India will consent to the granting of the Returns relative to Indian matters in to-day's Notice Paper, standing in the name of the hon. Member for Donegal?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): A Return is now being prepared on the Motion of the hon. Member for Elgin (Mr. Keay), showing the grants of pensions of 1,000 rupees and upwards, and this, with the exception of the names, will give the hon. Member the information he asks for in the first Return of which he has given notice. As regards the salaries of persons in the Council or office of the Secretary of State, very full information is given in the Return, East India Council, No. 147 of last year. In view of the labour and expense involved, the Secretary of State does not consider it necessary to compile a special Return.

MR. MAC NEILL: Does it show the names of gentlemen in the India Office who, at the same time, are receiving pensions from the Indian Government?

MR. CURZON: The hon. Member, having the Paper in his hands, can find out exactly what it contains.

IRISH FISHERIES REPORTS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, by 5 and 6 Vic. c. 106, sec. 112, the Inspectors of Fisheries are, before the 31st January in each year, to make a Report on the Fisheries of the preceding year, and a copy is to be laid before Parliament within three weeks after the commencement of sitting; when will this Report be laid upon the Table; and why have the provisions of the Statute not been complied with?

MR. JACKSON: The provisions of the Act are, I believe, as stated in the first question. It has not in recent years been found possible to give the full information desirable and up to date

within the time mentioned, and an extension of time has been allowed. The Report will be presented as soon as possible.

CERTIFICATES OF CHARACTER AT WOOLWICH AND SANDHURST.

MR. MAC NEILL: I beg to ask the Financial Secretary to the War Office what is meant by the expression "good moral character," a certificate of which signed by tutors or heads of colleges must, under the regulations prevailing at Woolwich and Sandhurst, be produced by candidates for further examination for the Army; whether he is aware that Lieutenant Colonel Begbie, R.E., has brought an action against Mr. Lascelles, an Army tutor, for refusing to give his son, who was for a few months a pupil of Mr. Lascelles, a certificate of good moral character, and has claimed damages—

"For trouble and expense in obtaining a dispensation with the production of such certificate from the Military Authorities; and inducing them to admit his son as a candidate without such certificate";

is this the case to which the Secretary of State for War alluded as the only case which had occurred during three years in which the certificate of good moral character was dispensed with; from whom have the fullest inquiries into this candidate's character been obtained; and have the War Office authorities asked Mr. Lascelles for any explanation of his refusal to give the certificate of character?

MR. BRODRICK: This is the case to which I alluded in which an exception had been made to the rule. The fact that the question is *sub judice* in the Law Courts would render it unfair to both parties that any statement should be made on the subject.

MR. MAC NEILL: Was not the War Office aware that action was to be taken, and was Mr. Lascelles allowed to withhold the character?

MR. BRODRICK: The War Office have the whole case before them. It is not desirable I should now go into it.

MR. MAC NEILL: I do not ask that. But is it a fact that the tutor has never been asked for information?

MR. BRODRICK: The War Office have received such information.

Mr. Jackson

THE TENANTS ON THE LETTERILLY ESTATE.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the tenants on the Letterilly estate of Mr. Orr, near Glenties, County Donegal, are about to be evicted through inability to pay law costs of ejectment decrees, which have been inflated three or four-fold by reason of the agent, who is ignorant of the locality and a non-resident, having inserted, as parties in the ejectment, the names of persons as sub-tenants who had no connection with the holdings; that Charles Gallagher, whose judicial rent is £2 2s., was required to pay £2 6s. 8d. in law costs before the decrees were placed in the hands of the Sheriff, whereas the costs legally leviable in his case were little over £1; and that Gallagher, who is wretchedly poor and without stock, sent on two occasions rent to Londonderry to the agent which was returned because unaccompanied with costs; and whether, having regard to the destitute condition of these tenants, the forces of the Crown will be employed to aid in their eviction?

MR. JACKSON: I am afraid I can only refer the hon. Member to my reply to a similar question put by him on the 10th of last month. I do not know the details of the particular case.

MR. MAC NEILL: Will the right hon. Gentleman take it into his consideration? it is a case of awful hardship.

MR. JACKSON: I do not know that it is in my power to take any action.

MR. MAC NEILL: Is the right hon. Gentleman aware that a predecessor of his in office refused to grant the forces of the Crown to assist evictions on Lord Clanricarde's estate?

MR. JACKSON: I am not aware.

SICKNESS AT THE MOORGATE STREET TELEGRAPH OFFICE.

MR. M'CARTAN (Down, S.): I beg to ask the Postmaster General whether he will instruct the medical officer to inquire into the cause of the heavy sickness among the staff at Moorgate Street Buildings Telegraph Office; whether the clerks have petitioned respecting the unsanitary conditions under which the principal meal of the day is obtained and the absence of any time allowed to obtain

other meals; and whether he will allow these clerks the 20 minutes allowed for meals other than luncheon, and put them on an equality with their provincial colleagues similarly placed?

SIR J. FERGUSSON: The sickness is not heavy—as stated in the reply to the question of the hon. Member for West Aberdeen on the 18th March. There is nothing to add to that reply; for one meal in the day they are allowed 30 minutes. Other refreshments, if required, must be taken at their seats.

LONDON WATER SUPPLY.

SIR R. TEMPLE (Worcester, Evesham): I beg to ask the President of the Local Government Board whether he will consider the expediency of adding to the Royal Commission on the subject of the water supply of London the names of one or more influential residents of that part of the County of Surrey which is interested, as being supplied by one of the existing Water Companies, and because their present supply is drawn from the River Thames, which is being exhausted of all its water, to the great detriment of that county?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): Before the Royal Commission on the Metropolitan Water Supply was appointed the question of its constitution was very carefully considered. The Commission has not, however, been formed on the principle of obtaining representatives of different districts, but of securing the services of gentlemen who are specially qualified for the important inquiry which the Commission have to undertake. The Government cannot, therefore, accede to the suggestion of my hon. Friend. It will be borne in mind that the Royal Commission, by the terms of their appointment, are in their inquiry to have regard to the needs and claims of the localities not supplied by any Metropolitan Water Company, but within the watershed of the Thames.

GOVERNMENT CONTRACTS—HOME INDUSTRIES.

MR. J. LOWTHER (Kent, Thanet): I beg to ask the First Lord of the Treasury whether, inasmuch as the practice of giving contracts to foreign manufac-

turers for the supply of pencils, matches, and other articles used by the Public Departments involves a contravention of the Resolution passed by the House of Commons upon 13th February, 1891, the Government will, in view of the serious depression prevailing in so many home industries, make it a condition that all such contracts shall be executed within the British Empire?

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): In reply to my right hon. Friend, I have to say that it does not appear to me on the face of it that giving contracts to foreign firms is directly connected with the Resolution to which he refers in his question. That Resolution was directed against what is called "sweating" in English manufactories, and has no reference to what may be done in manufactories abroad. Of course, in regard to the rest of the question, I, like everyone else in the House, desire that Government contracts should be executed by manufacturers and workmen in this country; but I cannot accede to the novel principle, as deduced from that, that we should deliberately buy in the more expensive market at the cost of the general taxpayer when elsewhere, at a cheaper rate, we can get such goods as we require.

MR. J. LOWTHER: I would ask the right hon. Gentleman if the hours of work abroad are not very much longer than in this country; and I would further ask his attention to the Resolution of the House last Session on the subject?

MR. A. J. BALFOUR: If my recollection serves me right, the Resolution of this House referred to the wages and labour of workmen in this country, and not to wages and labour in foreign countries.

MR. J. LOWTHER: I would ask the right hon. Gentleman if he is aware that the hours worked by foreign workmen are much longer than those of English workmen? The Resolution adopted by the House was—

"Resolved, That, in the opinion of this House, it is the duty of the Government in all Government contracts to make provisions against the evil which has been disclosed before the Sweating Committee, and to insert such provisions as may prevent the evils arising from sub-letting, and to make every effort to secure the payment of such wages as are generally accepted as current in such trades for competent workmen."

I wish to ask whether there was anything in that Resolution which contained an exception in favour of the foreigner?

MR. A. J. BALFOUR: The evils exposed before the Sweating Committee were domestic and not foreign evils. They examined into the hours and work of British working men and the wages paid to them. Their inquiry had no reference to the hours of work or the wages given to foreign workmen.

MR. J. LOWTHER: I beg to give notice that on an early date I will call attention to this subject.

IMMIGRATION OF DESTITUTE FOREIGNERS.

MR. J. LOWTHER: I beg to ask the First Lord of the Treasury whether, in view of the information officially conveyed to the Foreign Office by the British Ambassador at St. Petersburg, to the effect that the exodus of destitute persons from Russia is expected in well-informed quarters to assume extended proportions in the near future, it is the intention of Her Majesty's Government to introduce a Bill to prohibit the admission into the United Kingdom of all persons likely to become a public charge or to increase the difficulties of obtaining a livelihood already pressing upon large numbers of the native labouring population in this country?

MR. A. J. BALFOUR: Her Majesty's Government are not of opinion that anything has occurred as yet which would justify the introduction of such a Bill as that suggested by my right hon. Friend. The expectation of Mr. Arnold White that a large number of Russian Jews would come to this country this summer appears to have been mainly based on the belief that the United States—to which about 70,000 went last year—would be closed to them. We have reason to doubt the correctness of this belief and are making inquiries on the subject. It has also been stated that both the Austrian and German frontiers are, or will be, closed to such emigrants. If this be so, the length of the voyage from any Russian port would make it much more difficult for them to come to the United Kingdom than it has hitherto been. But I can assure my right hon. Friend that we quite appreciate the gravity of the matter and are watching it most carefully, for we feel that such

Mr. J. Lowther

an invasion as has been suggested, and as to which apprehensions were expressed (though entirely without adequate grounds) in last June, would be an intolerable abuse of the system of emigration.

TREATIES WITH BELGIUM AND GERMANY.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the First Lord of the Treasury if, having regard to the frequent requests made by the Government of Canada to the Colonial Office during the past eleven years to be freed from the Inter-British Trade Disabling Clauses of the Treaties with Belgium and Germany, and particularly to the Address to the Crown of September last from the Dominion Senate and House of Commons, and the joint representations on the subject twelve months ago by the Agents General of the Self-Governed Colonies, and to the approving resolutions adopted by numerous public meetings in England and Canada and transmitted to Her Majesty's Government, including one from the delegates to the Birmingham Convention of the National Union of Conservative Associations, any progress has been made towards the redemption of the announcement on 19th June, 1891, by the Prime Minister to the United Empire Trade League—

"We shall be glad indeed to take every opportunity that arises for delivering ourselves from these unfortunate engagements."

MR. A. J. BALFOUR: The Prime Minister entirely adheres to what he stated on the 19th of June last year, and has no desire to withdraw from it in the least degree. I can only say at present no opportunity has occurred for delivering ourselves from these unfortunate engagements.

REDEMPTION OF TITHE RENT-CHARGE.

MR. H. GARDNER (Essex, Saffron Walden): I beg to ask the First Lord of the Treasury whether the Government intend to take any steps, and, if so, what steps, to carry out the recommendations contained in the Report of the Commissioners appointed to inquire into the redemption of the tithe rent-charge?

MR. A. J. BALFOUR: I do not know that I can give any definite answer

to this question. The matter is under the consideration of my right hon. Friends the President of the Board of Trade and the President of the Board of Agriculture.

MR. T. E. ELLIS (Merionethshire): Is there any likelihood of its being done this Session?

MR. A. J. BALFOUR: That is a question of which I must have notice.

INDIAN COUNCILS BILL.

MR. SCHWANN (Manchester, N.): I beg to ask the First Lord of the Treasury whether a few days' notice will be given before the Indian Councils Bill is taken in Committee?

MR. A. J. BALFOUR: I shall be glad to give as much notice as I can in reference to this Bill. As the hon. Gentleman is aware, it is not a Bill on which there is much difference of opinion. It is a Bill which it is very important we should pass as soon as possible into law; and I should, therefore, desire to take every chance of getting it through the preliminary stage.

MR. SCHWANN: Will the right hon. Gentleman take it after twelve o'clock to-night?

MR. A. J. BALFOUR: We have no power to take it after twelve o'clock.

POSTAL ARRANGEMENTS AT BARNMEEN.

MR. M'CARTAN: I beg to ask the Postmaster General, with reference to the necessity for establishing a post office at Barnmeen, near Rathfriland, whether he is aware that the district is thickly populated, and the inhabitants have no postal accommodation; and whether, considering the inconvenience involved to such a large number of people, he will make further inquiry into the matter, in order to provide this district with postal accommodation similar to that at present enjoyed by other districts about Rathfriland?

SIR J. FERGUSSON: It is feared that further inquiry would be of little, if any, use, as the postal accommodation desired at Barnmeen, near Rathfriland, would entail additional expense, which could not be sanctioned because the service in the neighbourhood of Rathfriland generally is already carried on at a loss to the Revenue. The loss is a heavy one.

THE VALUATION OF BELFAST.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that no general valuation of the City of Belfast has been made since 1864, notwithstanding that the valuation of the city has since then increased from £273,537 to £713,616; and whether, considering the alteration in the real value of buildings not recently erected, owing to the rapid growth and development of the city, and in view of the complaints made as to the present valuation being an uneven basis of taxation of property in Belfast, he will take steps to have a general re-valuation made without delay?

MR. JACKSON: The valuation of Belfast appears to have been first made in the year 1862. A re-valuation now would undoubtedly be advantageous, but could not be made under the existing law, there being no provision for the cost that would be incurred. I fear it would not be practicable for the Government to consider such legislation, as a Government measure, at the present time.

MR. SEXTON: Considering the advance which has been made in the valuation of Belfast is almost unparalleled, would the Government agree to consider a Bill for the re-valuation of that city if such Bill were introduced by a private Member?

MR. JACKSON: The hon. Member is aware that several attempts have been made to introduce Bills dealing with the question. At least four attempts were made in more or less recent years, I think one by my immediate predecessor. The question is a very important one, and it presses also as regards Limerick, Cork, and Dublin—I mean it presses in the sense that application has been made in regard to these cities. I think probably that before any practical steps can be taken it might be desirable to have some inquiries as to what form the Bill should take. Of course the cost would be considerable, and I presume that, following precedents, some arrangement will have to be made for a re-payment of the costs by the localities. I admit the importance of the subject; and if I have any opportunity of getting the matter into practical shape I shall be glad to take advantage of it.

MR. SEXTON: Will the right hon. Gentleman cause some general inquiry to be made during the Recess?

MR. JACKSON: Well, Sir, I will do the best I can.

LABOURERS COTTAGES IN MALLOW.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many cottages have been built under the Labourers (Ireland) Acts in the Mallow Union; whether he is aware that numbers of labourers in this Union are now living in houses long since condemned as unfit for human habitation; how many schemes under the Acts have been adopted in this Union; and whether any of these schemes have been dropped; and, if so, for what reason?

***MR. JACKSON:** The total number of cottages authorised up to the present to be provided in the Union is 111. Of this number 105 have been built. The Guardians have before them schemes for the erection of additional cottages.

DR. TANNER: Will the right hon. Gentleman try to make these Guardians, being more or less of the Conservative Party under the domination of the *ex-officio* Guardians, take some steps to provide that these labourers shall not have to live in cottages which are unfit for human habitation?

***MR. JACKSON:** The Guardians appear to have taken these steps already.

THE SEED RATE IN IRELAND.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the recent severe winter in Ireland, and the dearth of employment, an extension of time will be granted by the Local Government Board to labourers to enable them to pay the seed rate?

***MR. JACKSON:** There is no reason to suppose that the circumstances of the agricultural labourers are such as to warrant the course suggested in the question.

DR. TANNER: Has the right hon. Gentleman seen from the Press of the last few weeks that these unfortunate labourers are being sued at the present time for seed rates, they being not in a position to pay?

***MR. JACKSON:** The hon. Member's experience is probably similar to mine. I see very many things in the Press for which there is no foundation.

DR. TANNER: I shall raise this question on the right hon. Gentleman's wages.

POST OFFICE LIABILITY.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Postmaster General under what rule of the Post Office the Department refused to pay compensation to the Hamilton Association for Providing Trained Male Nurses for a loss incurred through the admitted negligence of the Department in failing to transmit a telegram on 14th November, 1891; whether compensation has been paid in some similar cases, and whether he would take steps to assimilate the rule on the subject to that in force with regard to parcels for which damages were paid?

SIR J. FERGUSSON: The Regulations which were laid before Parliament declare the non-liability of the Department, and are quoted on every telegraph form. I cannot find that compensation has ever been paid in any similar case. The circumstances of parcels are so different that the same rule could not be applied.

COUNTY CESS IN IRELAND.

MR. STACK (Kerry, N.): I beg to ask the Attorney General for Ireland whether his attention has been called to a resolution unanimously adopted at a meeting of the North Kerry Ratepayers' Association, held in Listowel, on 2nd March last, in which attention is directed to the system of appointing baronial constables for collection of county cess in Ireland, wherein it is stated that, at the last appointment of baronial constables by the Grand Jury of the County Kerry, a solvent and respectable gentleman offered to give sufficient security and to collect the cess for half the poundage given to the gentleman afterwards appointed by the Grand Jury; and whether it is in accordance with the law for the Grand Jury in such a case to appoint a constable; and, if so, will he introduce a Bill to amend the law relating to the appointment of baronial constables in Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The matter referred to in this question is one which rests with the Grand Jury, who have the power to appoint baronial constables. The Government have no intention of introducing any legislation on the subject beyond that which is contained in the Local Government Bill.

PRISON WARDERS IN IRELAND.

MR. O'KEEFFE (Limerick City): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland the number of Roman Catholics and Protestants respectively that have been appointed warders of prisons in Ireland within the past three years; what are the number of dismissals of warders of Irish gaols within the said period, particularising whether Roman Catholics or Protestants; the number of promotions of warders above the rank of ordinary men within the said term, particularising as in last paragraph; and the number of prisoners in Irish gaols within the past three years, stating number of Catholics and Protestants?

MR. JACKSON: The records of the office do not afford the information asked for in the question.

MR. P. O'BRIEN: Is it not usual for the Governor to tell off the men to attend Catholic and Protestant services in the prisons, and could not he by that means know the religion of the warders?

MR. JACKSON: No, Sir; I am not aware of that.

MR. P. O'BRIEN: Then I am.

COUNTY COUNCIL ELECTIONS.

MR. JEFFREYS (Hants, Basingstoke): I beg to ask the President of the Local Government Board whether he is aware of the circumstances under which the recent election of a Councillor to represent the South Liberty Ward of the Gosport Electoral Division of the Hampshire County Council ended in failure, through the unfortunate death of the only candidate previous to the day of election; and whether any means are provided by "The Local Government Act, 1888," or other Statutes incorporated therewith, by which the difficulty can be met, and a new election ordered to take place?

MR. RITCHIE: My attention has already been directed by my hon. Friend the Member for the Eastern Division of Sussex to the circumstances connected with the election of a Councillor for the South Liberty Ward of the Gosport Electoral Division. As there appears to have been a failure, in consequence of the death of the candidate, to elect on the day appointed for the election, the case seems to me to come under the provisions of Section 70 of the Municipal Corporations Act, 1882, which is made applicable to elections of County Councillors by the Local Government Act. Under that section the High Court may, on motion, grant a *mandamus* directing an election for the electoral division referred to on a day named by the Court.

FROZEN MEAT FROM QUEENSLAND.

MR. JEFFREYS: I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to the report in the *Times* of 30th March, that at the opening of the Queensland Parliament the Governor announced that the Government intended to introduce a Bill to give bonuses on the export of frozen meat; and whether such proposed legislation will receive the sanction of Her Majesty's Government?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): In answer to my hon. Friend, I have to say that I have seen the report referred to, but have no further information as to whether the Bill has been introduced or the terms of it. It appears, however, to be a matter within the competence of the Colonial Legislature.

YELLOW FEVER ON A TRANSPORT.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Financial Secretary to the War Office whether he can give the House any information respecting a reported outbreak of yellow fever on board the transport *Atlas*, conveying troops from St. Lucia to Halifax; and whether he can inform the House what has been the percentage of sickness amongst the troops at St. Lucia since a portion of the garrison of Barbados has been transferred to the island?

MR. BRODRICK: Two cases of yellow fever occurred during the voyage.

of the *Atlas* to Halifax; and since arrival one case has been sent to the hospital. The percentage of sick to strength among the white troops at St. Lucia has been fairly constant since the increase of the garrison, and it has averaged 9·9 per cent.

LABOURERS DWELLINGS IN THE MOUNTMELICK UNION.

MR. A. O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether representations, duly made under the Labourers' Acts, have been before the Mountmellick Guardians since May in last year, and not yet acted upon; whether the Guardians have made any report in regard to them to the Local Government Board, under Clause 10 of the Act of 1883; whether many labourers within the Union are now living in dwellings declared by the sanitary officer unfit for human habitation; and whether the Local Government Board will put in force the powers conferred upon them by Section 4 of the Act of 1891?

MR. JACKSON: Representations appear to have been submitted in 1890, and also about the date mentioned in the question, having in view the erection of labourers cottages in addition to the number already authorised in Mountmellick Union. The Board of Guardians have not yet made any scheme in pursuance of the representations, but the previous schemes are still in progress. Of the 61 cottages authorised, 24 are finished, and of the remainder ten are now in process of erection. No complaints on the subject have been made to the Local Government Board with a view to their taking action in the direction indicated in the concluding paragraph of the question.

MR. A. O'CONNOR: Might I ask whether some of the cottages still unfinished were decided upon as far back as the year 1885, seven years ago, and whether the Local Government Board will listen to any representations which may be made to them under the 4th section of the Act of 1891?

MR. JACKSON: My recollection is that that section gives power to the Local Government Board to make inquiries on such representations, and I have no doubt it will act in accordance with the section.

Mr. Brodrick

THE OFFICE OF SUPERVISOR OF INLAND REVENUE.

MR. A. O'CONNOR: I beg to ask the Chancellor of the Exchequer whether it has been brought to his notice that much dissatisfaction prevails in the Excise Service in respect of the mode of conducting the examination for the position of Supervisor of Inland Revenue; whether the name and station of the candidate are written upon each paper sent in instead of numbers, so that the examiners are made aware of the author of each paper; whether it would be possible to arrange for the examination of the written answers by the Civil Service Commissioners, while the technical or Service portion of the examination is dealt with by the Somerset House authorities; and whether, in view of certain alleged irregularities at the last October examination, the candidates not then successful may be allowed to compete on the next occasion?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am not aware of the alleged existence of dissatisfaction in the Excise Service or of the occurrence of any irregularities at the last October examination for the position of Supervisor of Inland Revenue. It is the fact that the name and station of the candidate are written on his paper. The practice has been pursued for the last 40 years, and has never been objected to. The whole of the examination is technical, with the exception of book-keeping, the examination in which is conducted by a member of the Accountant General's Department, who is, practically, as much a stranger to the candidates as the Civil Service Commissioners themselves.

THE POSTMASTER OF ENNISKILLEN.

MR. JORDAN (Clare, W.): I beg to ask the Postmaster General if a postmaster has yet been appointed to Enniskillen; if so, has he taken charge; and, if not, when will he do so?

SIR J. FERGUSSON: Mr. W. Cornwall, telegraph clerk in Dublin, was appointed postmaster of Enniskillen last month. He has gone to Enniskillen and taken up duty there to-day. The cause of delay is not known in London.

IRISH COUNTY COURT ACTS.

MR. MAURICE HEALY (Cork): I beg to ask the Attorney General for Ireland when he will introduce his promised measure to amend the Irish County Court Acts?

MR. MADDEN: The matter requires very serious consideration. The Bill is nearly ready, and I hope to be able to ask leave to introduce it in a few days.

POSTAL FACILITIES AT MULLAGHDUN CROSS.

MR. JORDAN: I beg to ask the Postmaster General if a Requisition has been received by the Secretary to the General Post Office, Dublin, signed by the principal inhabitants of the district, asking for a post office at Mullaghdun Cross, midway between Belcoo and Letter Breen, in the County Fermanagh, and will he grant their request?

SIR J. FERGUSON: Such a Requisition has been received; and, as the result of the inquiry which has been made in the matter, authority has been given for extending the official delivery of letters from Letter Breen Post Office as far as Mullaghdun National Schools. The correspondence affected is too small in amount to warrant the opening of a post office at Mullaghdun Cross.

PROTECTION OF THE RIVER SHANNON.

MR. JORDAN: I beg to ask the Financial Secretary to the War Office if, through the Chief Secretary to the Lord Lieutenant of Ireland, he has received a resolution unanimously passed by the Grand Jury of the County of Clare, at the Spring Assizes, 1892, in relation to the unprotected and defenceless state of the towns situated on the River Shannon and the counties through which it runs; whether, in consequence of the action of the Military Authorities, who some time since dismantled the forts on Scatterry Island, in the estuary of the Shannon, the Limerick and Clare Artillery Militia regiments are, at considerable expense, drafted to Cork; and will he take into consideration the suggestion of the Grand Jury to erect on each side of the Shannon west of Kilrush strong forts with suitable guns and supply of men?

MR. BRODRICK: In view of the very heavy expenditure on places more open to attack, it is not contemplated to incur expenditure on the forts at the mouth of the Shannon. The Limerick and Clare Artillery, prior to 1885, used to practice at Tarbert. They now train in Cork Harbour, where heavy guns of modern type are available.

CLAREMORRIS AND COLLOONEY RAILWAY.

MR. JORDAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what was the result of his conference with the Directors of the Waterford and Limerick Railway Company and of their Board meeting on the 10th instant on the question of the proposed agreement between the Government and them for the completing and working of the Claremorris and Collooney line; whether he has received any definite reply to his proposals; and to what length of time will he extend these negotiations before he adopts some other alternative by which the new line will as speedily as possible be made available for the public in that district?

MR. JACKSON: I am not in a position to make a definite statement on this question, but I hope in a day or two to be able to do so.

BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR: It would perhaps meet the convenience of the House if I were to say that in consequence of not having been able to finish the Debate on the Scotch Education Bill on Thursday, I think it would probably be convenient to us and to the House to finish that Debate, of which, I think, little remains, the first thing on Monday. The House is aware that the subject was nearly exhausted last night, and I trust hon. Gentlemen who have still remarks to make will abbreviate them as much as possible and enable us to get to the Small Holdings Bill Committee, which the House is desirous of dealing with as speedily as possible. I shall, therefore, put down the adjourned Debate on the Second Reading of the Scotch Bill as the first Order after the Resolution I have to move on Monday.

MR. J. MORLEY (Newcastle-upon-Tyne): I am afraid the announcement which the right hon. Gentleman has just

made will come as a very disagreeable surprise to hon. Members. The right hon. Gentleman must be aware that a great number of Members have made arrangements to attend on Monday with the express view of proceeding at once with the Small Holdings Bill. He has told us that there is an understanding that the discussion on the Scotch Equivalent Grant Bill will take a very short time. He did not tell us what he means by a very short time, but from what I am told as to the number of Gentlemen who rose when the Adjournment was moved he can scarcely look forward to the time being so short as not to take all the first freshness out of the Debate on the Small Holdings Bill. The right hon. Gentleman has given, not one, but repeated pledges that this Bill should be taken first on Monday, and I hope he will still see fit, in view of these pledges and the great inconvenience which would undoubtedly be caused to many hon. Members, to adhere to that arrangement.

MR. H. GARDNER (Essex, Saffron Walden): May I ask the right hon. Gentleman whether he is aware that in reply to the last question on the subject, he said, "I have already answered that question four times," and that the taking of the Small Holdings Bill in Committee was as certain as anything in this House can be? May I also ask whether he is aware that many Members on both sides, at some inconvenience, have made arrangements to be here on Monday in order to attend the Committee in accordance with the distinct pledge of the right hon. Gentleman.

MR. A. J. BALFOUR: The hon. Gentleman is mistaken in his recollection of the facts. The statement I made regarding the certainty of the first Order had reference, not to next Monday, but to yesterday, in answer to the question of the hon. Member for Edinburgh who asked whether the Scotch Education Bill was certain to be the first Order on Thursday. I stated that it was as certain as anything in this House can be. The right hon. Gentleman has not, I think, used the strictly proper words when he says I gave a pledge last Monday. What happens is, that the Minister-in-charge is asked from time to time if he can forecast the course of business, and to meet the convenience of Members he does give a sketch of the course of business, and for

that purpose he has to estimate the length of time that the various Bills will take. I confess that after the prolonged discussion we had on the Scotch Grant on the First Reading, it never occurred to me for a moment that we should not be able to get the Second Reading in the course of a whole evening's Debate. Had I had the least suspicion that that result would have occurred I should have requested the House to suspend the Twelve o'clock Rule on Thursday, and we should have sat till we finished it.

MR. H. GARDNER: Will the right hon. Gentleman go on with the Small Holdings Bill *de die in diem*, including Monday?

MR. A. J. BALFOUR: I cannot give any pledge, and have not ventured even to give a forecast for next week.

MR. MORTON: Does the right hon. Gentleman intend to go on with the Ordnance Vote before Easter.

MR. A. J. BALFOUR: I am afraid I cannot give any pledge on that point.

MR. SEXTON (Belfast, W.): I wish to ask the right hon. Gentleman if his attention has been called to the fact that a Minister of the Crown, the Comptroller of the Household, presided at a meeting of Members of Parliament yesterday, at which a resolution was carried to intimidate the electors of the United Kingdom, and in a certain event, to excite a certain portion of the people of Ireland to civil war?

MR. A. J. BALFOUR: I have no knowledge of the facts referred to in the hon. Member's question.

MR. COBB (Warwick, S.E., Rugby): Will the right hon. Gentleman consider, during the evening, if it would not be possible to take the Small Holdings Bill as the first Order on Monday, and the Scotch Grant Bill on Tuesday morning?

MR. A. J. BALFOUR: My hope is that the Scotch Bill will be over by half past six, and that we shall be able to go on with the Small Holdings Bill on Monday night, Tuesday morning, Thursday, and Friday. That would be more convenient than interrupting the Small Holdings Bill by a Scotch Debate on Tuesday morning.

MR. T. E. ELLIS (Merionethshire): Do I understand that the right hon. Gentleman is going to move that the Small Holdings Bill be taken on Tuesday and Friday evenings?

Mr. J. Morley

MR. A. J. BALFOUR: I only propose that the Government should be allowed to take Tuesday and Friday mornings and the Bill.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the right hon. Gentleman whether, in view of the Resolution to which his attention has been called, he will fulfil his promise as to visiting Ulster, and will he support the terms of that Resolution?

MR. SEXTON: I give notice that I shall move that, as the Member who occupied the chair at that meeting was a Minister of the Crown, a copy of the Resolution be laid on the Table.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1892-3.

Considered in Committee.

(In the Committee.)

CLASS I.

Motion made, and Question proposed, "That a sum, not exceeding £29,850, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1893, for Expenditure in respect of Royal Palaces and Marlborough House."

(3.0.) MR. MORTON (Peterborough): Before moving the reduction of which I have given notice I wish to ask a question with regard to the Auditor General's Report. He says in reference to a previous year that, in regard to new works, expenditure has been greater in cases than the amount provided, whilst in one case no provision at all was made. I wish to ask whether when we vote money for one purpose a Department of the Government can use it for other purposes without the consent of the House of Commons? I find that in the Estimates the Departments ask for a great deal more money than they want, and then having a surplus they apply it to purposes that are not brought before the House at all. I wish to ask the Leader of the House or the Chancellor of the Exchequer whether they are legally right in so doing?

MR. A. J. BALFOUR: I do not know to what purposes the hon. Member refers. I should like to have a concrete example before I answer an abstract question.

MR. MORTON: I refer to the case mentioned in the Auditor General's Report; I do not think he gives the

exact item, but says that in one case no provision was made. I am asking about the principle, which I see carried out through all Government affairs—namely, that they get money voted for one purpose and use it for another. I wish to ask if the money is voted to build a house in one street it can be used to build a house in another?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): No. The money must be spent on the items stated in the Estimate.

MR. MORTON: Then I understand it is illegal for a Department or the Government to spend money voted for one object on another not mentioned in the Vote. I am very sorry that I was not able to refer to the question before the Speaker left the Chair, owing to the sharp way in which the right hon. Gentleman used the Forms of the House. I wish to call attention to item one, £81 for salaries and allowances, and £270, fuel, fire, water, and household articles. There is, of course, the large sum of £3,000 for maintenance, repairs and new works also. I do not object to the agreement that these palaces should be kept for the use of Her Majesty, or desire to interfere with it, but it appears that the allowance of £385,000 should cover the cost of servants, fuel, light, water, and household articles. As to the servants, I see there is a turncock at £1 5s. a week, with an addition of £8 for acting as ratcatcher. There are no particulars as to the fuel, &c. It may be our duty, as the buildings are public property, to keep them in repair, and I do not raise the question now. I see there is one item for Windsor Castle, £202 for servants and allowances, for Windsor Home Park, Windsor Royal Kitchen Gardens, Frogmore House and Grounds, and White Lodge, Richmond Park. Will the right hon. Gentleman inform the House who inhabits Frogmore House and White Lodge? And also give the information on the other items I have mentioned. I move the reduction of the Vote by £350.

Motion made, and Question proposed, "That a sum, not exceeding £29,500, be granted for the said Service."—(Mr. Morton.)

*MR. PLUNKET: The two questions raised by the hon. Member are as regards £81 for Buckingham Palace principally, and £270 for fuel, light, water, and household articles. As regards the sala-

ries and allowances, the hon. Member will find them set out on the following page (page 6) of the Estimates; the whole sum is there accounted for. The £81 represents the salary of a turncock, who is also employed to discharge the important office of ratcatcher. That sum is necessary to enable us to take care of the palaces we are bound to take care of, as it is necessary to have a supply of water in case of fire breaking out. The rule on the subject of fuel, light, and water, and household articles is that they are only supplied to the servants who are employed by the Office of Works in the different palaces and houses they have to look after. They are not supplied for the use of the inmates at all. Water is supplied to all the palaces. As to the palaces that are not in the occupation of Her Majesty, we pay for fuel and household articles for the State Housekeeper and Under Housekeeper, who take charge of those portions of the palaces which are open to the public, and we pay these sums in the same way that we subscribe to and keep up the Offices of the great Departments of the State. I can assure the hon. Gentleman that this part of the expenses is for servants or other persons who are employed in the way I have described.

MR. MORTON: Will the right hon. Gentleman kindly give me the information I asked for on the subject of Frogmore House and White Lodge, Richmond?

MR. PLUNKET: I cannot at present tell him who occupies Frogmore House, but the hon. Member, and, indeed, all hon. Members, must know that the Duchess of Teck and her family occupy the White Lodge.

(3.12.) MR. LABOUCHERE (Northampton): I should be indisposed to question the keeping up of this ratcatcher, but if he has any spare time he might be brought down here, and on this side of the House he would find good sport. But what really underlies this Vote is the excessive sum which is expended on the palaces which are not wholly, or even partially, in the occupation of Her Majesty. In this Vote I find that £15,000 is for palaces in the occupation of Her Majesty, £2,800 for palaces in partial occupation, and £16,900 for palaces which are not in occupation. A portion of that, no doubt, is legitimately expended, for there are items for Hampton Court Palace, for Holyrood

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House, and for the Military Knights of Windsor, but deducting those items there is still £10,000 per annum spent in the maintenance of palaces which are not even partially occupied by Her Majesty. And this is not an exceptional year; it is the same every year. I will take one item. Kew Palace is a place that I have for years sought to discover. I have frequently been down there and have wandered about trying to find where this Palace is that costs so much. I suppose there is some small house there that belongs to Her Majesty, but to call the thing a Palace is absolutely absurd; it does not exist. Last year £1,177 was spent upon Kew Palace, and this is only one instance of the way in which public money is spent. Then there is Kensington Palace, on which we are to spend £2,300, and the amount last year was £2,500, for maintenance and repairs. Would it not be more reasonable to entirely sweep away Kensington Palace? For I do not believe it is of the slightest advantage to anyone, and certainly not to Her Majesty, that palaces like this should continue to exist. If we did away with these palaces, which really are not wanted, we should only do what any private owner would do; but, instead of that, we keep on paying £8,000 or £9,000 per annum, at a minimum, for their maintenance and repair. I think some arrangement should be entered upon by the Government, with a view of preventing the expenditure of these large sums in this way. There should be some inquiry as to whether these palaces are really required, and whether, admitting that they are required, it is desirable to spend each year on their maintenance such large sums.

(3.16.) MR. MORTON: I should like to recommend, with regard to Buckingham Palace, that, as it does not seem to be used by Her Majesty or anyone else, terms should be arranged so that we can make some use of that building and the grounds. As we have felt the difficulty of finding a site for a British Gallery of Art, it would not be a bad idea to give up either Buckingham Palace or Kensington Palace for that purpose. I ask leave to withdraw my Motion for the reduction of the Vote, and I do not wish to move a reduction with regard to Buckingham Palace, because it might seem in some way to reflect on Her Majesty, which I do not wish to do. I desire to speak of Her Majesty with the

utmost possible respect, as I believe she is an example, not only to other Sovereigns, but to the people of this country. I ask leave to withdraw the Motion for reduction.

Motion, by leave, withdrawn.

Original Question again proposed.

(3.19.) DR. CLARK (Caithness): I should like to ask a question on this Appropriation in Aid. In England and Ireland Royal Palaces are open free, but in Scotland a fee of 1s. is charged for admission into Holyrood Palace. I thought that in consequence of the discussion we had last year this payment was to cease, but it is still in force, and I should like to ask what is going to be done in the matter, seeing that there is a reduction in the Vote this year?

(3.20.) MR. MORTON: I desire to move a reduction of this Vote by £1,000 on the item of palaces not in the occupation of Her Majesty. Following up the remarks of the Member for Northampton, I would ask the First Commissioner if he can see his way to allow a Committee to be appointed to consider the subjects that have been raised? I should like to ask a question specially with regard to Hampton Court Palace, where there is a very fine vine, on which there are every year hundreds of bunches of grapes. I wonder what becomes of those grapes, which I am sure are not sour, though I never get any of them myself. These grapes belong to us, and I think some proper use should be made of them, and I should like to learn that the right hon. Gentleman had made a present of some of those grapes to some hospital or institution either in or out of London. These grapes belong to the nation, and I hope the right hon. Gentleman will allow a Committee to be appointed which, along with other matters, will inquire into this. The Member for Northampton has made some reference to this question of the palaces not in the occupation of Her Majesty, and I do not wish to detain the House, but will move the reduction of the Vote by £1,000.

Motion made, and Question proposed,

"That an amount, not exceeding £28,850, be granted for the said Service."—(*Mr. Morton.*)

(3.22.) DR. TANNER (Cork Co., Mid): Every year we have received assurances from the right hon. Gentleman whose pleasant manners have

endeared him to the Committee, but those assurances always end in smoke. Every year we are called upon to pay large sums for this system of external patching—every year it ends in a promise and we vote the money. Kensington Palace is a big place with which nothing is done, and yet we spend large sums of money upon it. Hampton Court Palace is a place that I think is worth paying to keep up. There are two of these places in which everyone takes an interest—Hampton Court Palace, where there is a very valuable collection of paintings, and Kew Gardens, which has been made very useful in connection with the colonies for the propagation of plants.

THE CHAIRMAN (Mr. COURTNEY, Cornwall, Bodmin): Kew Gardens are not included in this Vote, which refers to the Royal Palaces.

DR. TANNER: Speaking then with respect to the palaces, I suppose it is quite right that we should do something to Marlborough House, but it seems to me that £300 for repairs to the roadway outside is a large sum. But what I object to is that these matters come forward year by year, and I think we are indebted to the Member for Northampton and the Member for Peterborough for bringing forward the facts. I think if there was a little money taken at the doors of these institutions on certain days in the week, as for instance, at the National Gallery and those places, and if people were admitted occasionally to Buckingham Palace by the payment of a small sum and permitted to see all that there is to be seen in this institution, as in the various other institutions, there would be no necessity for asking the House of Commons to vote anything for their maintenance, and an innocent source of recreation would be provided for the people, and if I had my way I would have them open on Sundays as well as other days. The money asked for would be very small; and these palaces are really not required, because they are only taken up occasionally by a German Prince, or something of that sort when they take up their abode there. That is a mistake. The people ought not to be called upon to pay these excessive charges; and, therefore, I have very great pleasure in supporting my hon. Friend, and I sincerely hope that the hon. Gentleman

will go to a Division on this subject. There is no use in raising these questions unless we take a Division, and we should take Divisions more frequently than we do, and I hope that during this Sitting we will emphasise and endorse our opinions by going to a poll, and trying to force the Members of Her Majesty's Government also to go to a poll, and take the opinions of their constituencies.

(5.32.) MR. STOREY (Sunderland): I recognise the value of these discussions so little that I seldom venture to interpose in these Debates, because these are matters which might, I think, be left to Her Majesty's Ministers. But every now and then we come across a Vote which raises a principle, and I think my hon. Friend behind me has raised a principle, which I think may be a very serious one, by proposing his Amendment. I think it raises the question of whether it is right for the House of Commons, which is the trustee of the public, to use the public money for other than the Public Service. Now, the expenditure for these palaces, which are not occupied by Her Majesty, is clearly a private expenditure. It makes no difference whether those persons, to whom these palaces are let are Royal or not; they are private persons and we have no business to spend the money in this manner. Every now and again this House is called upon for the expenditure of public money, and one Minister after another rises and says he is obliged to admit that there is some substantial reason why this might be done, but the unfortunate exigencies of the Public Service and the savings of the Treasury will not permit them to expend the money. I will give an illustration. There is a class of public servants at the present moment whom I have in my mind, and who are, I think, unfairly treated at present, whose just demands are not being met; and when we ask for an improvement of their salaries the answer is that there are no funds which the Minister can use for the purpose. Why, the money that is deliberately wasted by the House of Commons over these private matters would enable the Minister in charge of that Department to make this legitimate and rightful provision for these public servants. That is only one instance. Every Member of this House knows that every

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now and again we are called upon to consider cases where we should be very glad to give effect to the wishes of the person who appeals to the House, but we are always met with the same contention. Really, out of justice to the public, we ought not to vote for or support this additional charge. I am not going into details. I do not want to convince the judgment of the right hon. Gentleman; but I want to appeal to him as the custodian of public money, and I submit to him he has no right as a public servant to come here and ask the House of Commons to vote this sum of money which he asks for now, as an eleemosynary grant to private persons very well able to pay the money themselves. On these grounds I sustain my hon. Friend; and when the Minister rises, if he does rise, to say something in defence of this Vote, whatever he says he will not have answered fairly the criticism I have made, unless he shows that he is justified in taking the public money for the purpose of maintaining palaces which are let to private persons without rent. I submit to the Committee that the public duty of the Minister is to say to his fellow Minister, "I do not care whether it is a Princess or whatever other private person it may be to whom the palace is let," and to tell this private person that he has no right to take the public money for any such purpose; and if I happened to be in his place—as I do not suppose I ever shall be—I would venture to insinuate to the person concerned that it is uncommonly shabby for a person of large position and large means to come here at the expense of the ratepayers of the country—most of whom are poor—and take from them not only the rent of these palaces, but positively to sponge upon the public for the purpose of having their palaces maintained at the public expense. I have used strong words, but I do not need to apologise for them, because this sort of thing takes place year by year.

(3.40.) DR. CLARK: I do not know who lives in Frogmore House at present, but the Duchess of Kent used to live there, and the White House is occupied by the Duchess of Teck. In Hampton Court there are a number of villas occupied by the widows of admirals and generals who served their country well. Pembroke Lodge, I think, is occupied by

Lady John Russell, and I think that General Maude has Bushey House, he has it as a perquisite for the work he does. I think some of these buildings are occupied by a class of people who ought to be there, for they have some claim on the nation for services; but where you have got these people who have a legitimate claim for particular reasons of that kind you have got a number of people who are there who have no claim whatever, and I think we ought to differentiate between these two classes of occupiers. I only want some information as to the class of people who are living in these palaces and villas in reference to which this Vote is asked for.

*(3.41.) THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I should like to answer first some of the questions of detail which have been asked in reference to this Vote before speaking on the general principle involved. In the first place as regards the vineries, to which the hon. Member for Peterborough has alluded, the expenses for those grapes are not paid by the Votes of the House at all, but they are paid by Her Majesty, and the grapes belong to Her Majesty. Next, the hon. Member for Caithness asked for a reduction of the fees charged to visitors to Holyrood Palace. I am glad to be able to tell him that since this matter was last discussed in this House I have been able to make arrangements whereby instead of one free day in the week there will be in future three free days for visitors to Holyrood Palace; so that in that way the amount of the fees will be considerably reduced, as on three days in the week visitors may go there without any charge. The hon. Member for Mid Cork asked me what was the additional expense for improvements outside St. James's Palace. It was not incurred with the view of improving the access to Marlborough House specially, but to close a rather dangerous piece of ground which lies on one side of Marlborough House between the two wood pavements, where a great many accidents have occurred. It is with the view of closing that space and making the whole place safe that this work is to be done; and I can assure the hon. Member that this work is very well worth the money, as many accidents have undoubtedly occurred there owing to the present state of the roadway. I

think these answers cover most of the questions that have been asked me as to the details; but the main ground upon which it is proposed at present to move a reduction is that some of these palaces are not now in the occupation of Her Majesty, and ought not to be maintained at the expense of the State. The hon. Member for Northampton said that Kensington Palace ought to be swept away, and that Kensington Gardens would be very much better if it was not there, and why should we pay the amount required to maintain it. There are two views taken as to whether it would be an improvement to sweep away Kensington Palace. I think myself it would not be. The Palace, in my opinion, forms, from some points of view, a beautiful addition to the landscape; but I may say at once, as regards Kensington Palace, that we have no power whatever to sweep it away. Some 20 years ago the Minister who had charge of the same Department that I have now charge of considered that some of the smaller residences belonging to the Crown might be done away with, and he took the opinion of the Law Officers on the subject, and they advised that he had no power whatever to destroy any of these palaces, great or small, whether they were in the occupation of Her Majesty or not. I have often mentioned to the Committee before the simple grounds upon which these palaces are maintained, and I do not think the hon. Member has added anything fresh on this occasion, because this whole question is a question of principle. As the Committee may remember, the only expense which has been incurred by the State in this matter has been the expense of maintaining the fabric of these houses and keeping them in proper repair. The expenses of the inhabitants who live in these houses are in no way thrown upon the Estimates. The ground upon which the cost of the maintenance of these buildings is borne by the State, as I have often had the honour of explaining to the House before now, is this, that it is an obligation which proceeds at once from the principle upon which the Civil List was framed at the commencement of the present reign. Up to the year 1831 all these expenses of maintaining these palaces were borne out of the Civil List.

But at that time it was decided to make a new arrangement, and that arrangement was made on the advice of a very strong Committee which sat for the purpose of considering this question. They reported that these expenses, which were before thrown upon the Civil List, should in future be thrown upon the House of Commons, and that that arrangement should take place side by side with another process by which a very large reduction should be made in the Civil List, which was provided by the Sovereign. The hon. Member for Sunderland said it was very shabby for us to pay these expenses.

MR. STOREY: Not shabby for us, improper for us; but shabby on the part of those who took them.

*MR. PLUNKET: Well, shabby for those who took. That is a kind of strong language which it is easy for anyone to apply to a matter of that kind; but I do not wish to enter into any heated controversy with the hon. Gentleman. It was decided, as I have stated, in 1831, that all expenses of the maintenance of these palaces should be thrown upon the Estimates. That arrangement was maintained during the reign of the late Sovereign. The arrangement was again considered by a very strong Committee in 1837, and they reported that it was an excellent system in the interests of economy and of the nation, and recommended that it should be renewed; and it was renewed, and at the accession of the present Sovereign there was a further considerable reduction of the Civil List, and at the same time the nation undertook the obligation of defraying by a Vote of this House the expenditure, which included the maintenance of all these palaces and all the other buildings connected with them. In this way the expenses of these palaces and other houses which had been from time to time either built or purchased by successive Sovereigns, and which had for long been paid out of the Civil List, were thrown upon the Estimates. It would, of course, be open to the nation at a future time to re-consider and alter the arrangement; but I say that it is an arrangement which was solemnly made between the nation and the Sovereign at the commencement of the reign; and I submit to the Committee that that arrangement which we undertook we are bound in honour to carry out. There is, of course, the

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other view as to whether the duties of the Department which I represent here are performed in an economical manner. That is a matter for Parliamentary discussion and investigation; and I am prepared to meet any criticism of that kind. I can assure the Committee that if increases in the expenditure have been added to these Estimates it has been for the most part owing to the increase in the pay of the police who are required to look after our palaces and parks enjoyed by the people, and owing to the improved wages of labourers, tradesmen, and others who are employed by the Office of Works. I shall be very glad to answer any further questions that may be put to me.

(3.54.) MR. STOREY: I would like to point out to the right hon. Gentleman that this is a question that has nothing to do with Her Majesty's position. If this Vote was necessary to secure Her Majesty's comfort and convenience it would be agreed to without opposition, but it is not, and the right hon. Gentleman has not answered the point we have raised. We say that the least the person should do who occupies such a residence for nothing is to keep it in decent repair. Nor does the right hon. Gentleman deny the substantial justice of that claim. He knows much better than I that in the old days there were many more charges inserted in this Vote than there now are, and that by the efforts of Radical Members of Parliament from time to time one charge after another has been struck out. It is, therefore, a much more moderate Vote than the right hon. Gentleman's predecessors asked for 20 or 30 years ago. All that we now ask is that in 1892 the last of these charges should be removed. The only argument in support of the Vote is that there is an old agreement under which the money is paid, and that the object of it is to administer to the comfort and convenience of Her Majesty. But that again does not affect the point we have raised. I should think it must be very disagreeable to Her Majesty to have these criticisms recurring in the House with regard to this paltry sum. We say the last charge ought to be struck out, and on that point we propose to divide the House.

(4.0.) MR. MORTON: I desire to acknowledge the courtesy with which the right hon. Gentleman replied to my observations, and the readiness with

which he accepted responsibility for the expenditure of this money. He has referred to an agreement under which the money is paid, and it is unfortunate for him that he should have done so. I would be most anxious to adhere to the agreement strictly, but it has been broken so often in the way of increasing the expenditure that we cannot now pay much attention to it. The agreement was that the sum of £385,000 should be given for the purpose, whereas the expenditure is estimated at a million per annum. If the agreement can be altered by way of an increase, it can also be altered by way of a decrease of expenditure. The right hon. Gentleman said we were bound to keep these palaces in repair. Well, perhaps we are, but the Vote goes farther than that. There is furniture, fuel, and other things to be paid for with it, which does not come under the head of "Maintenance." When the right hon. Gentleman alluded to what had been done before, he forgot that a few years ago both the outside and the inside of these buildings used to be repaired and decorated, and that only the outsides are done now; that being so, let us go a step further and call upon the persons who occupy them rent free to repair them at their own expense. It is on a question of principle that I move the reduction of the Vote.

(4.5.) DR. TANNER: I wish to call attention to the question of police expenses in connection with these palaces. The sum of £678 has been incurred in connection with the employment of the police at Windsor Castle and £845 at Hampton Court Palace, but at the other palaces we find there is no necessity for pay of anything extra for the police. I hope the right hon. Gentleman will give us some information on this matter. Then, again, I would point out that at Hampton Court there have been drainage works for which £150 has been asked. The same thing occurred last year and the year before. They are always doing drainage works at Hampton Court, and I say it is becoming a burden to the taxpayer. It must be nothing but patchwork, and it is like throwing money away to spend it on that. We are also called upon to pay an additional sum in order to complete the ventilation and sanitary arrangements at Kew Palace. I hope we shall get some satisfactory replies in regard to these matters from

the right hon. Gentleman, who so often tries to put us off with his genial manner and *bonhomie*. We should also like to have some information as to the works and alterations of a minor order which are put together in a lump sum.

*(4.8.) MR. CREMER (Shoreditch, Haggerston): I think the Committee is entitled to more information than that which has been given by the right hon. Gentleman as to why Kew Palace is maintained at the public expense. I daresay most Members of the House are aware that there exists in Kew Gardens a peculiarly constructed palace. The people in the neighbourhood know scarcely anything about it, and I am told that nobody lives there. Why a palace should be kept up, and a hundred acres of ground should be railed off, is quite incomprehensible. The total cost of maintaining that palace, in which nobody lives, is £807. As, however, £144 has been expended in fuel, light, water, and household expenses, it would seem to indicate that somebody really does live there. Perhaps the right hon. Gentleman the First Commissioner will explain.

*MR. PLUNKET: Under the sum of £807, to which the hon. Member refers, several buildings in addition to the palace are maintained. Kew Palace is not at present inhabited, but it is in the power of Her Majesty at any time to put anyone in possession of it.

DR. TANNER: I think the right hon. Gentleman should explain how it is that the sum of £1,292 comes to be charged for the cost of the police at Hampton Court, when there is nothing charged for the police at Buckingham Palace?

*MR. PLUNKET: The one palace is open to the public, and the other is not.

MR. CREMER: Can the right hon. Gentleman say how long it is since Kew Palace was occupied?

MR. LABOUCHERE: I can answer that question. It has not been occupied since the death of the late Duke of Cambridge.

MR. HOLDEN (Walsall): Would it not be desirable to allow the public opportunities to inspect some of the works of art in the private apartments at Hampton Court?

*MR. PLUNKET: My attention has

not been called to that matter, but I will inquire.

DR. TANNER: Will the right hon. Gentleman explain why Kew Palace, which is not occupied by anybody, should be maintained?

MR. SEYMOUR KEAY (Elgin and Nairn): I desire to record my humble protest against the theory the right hon. Gentleman has put forward as to the manner in which this Vote comes before the House. The right hon. Gentleman said these Votes were only on the Paper *pro formâ*, that there was an antecedent honourable understanding with the House that they will not be negatived, and that any criticisms must be restricted and limited to the point of any extravagance arising from his Department. Whatever was the understanding at the beginning of the reign that these sums should be taken off the Civil List and put upon the Estimates, this understanding must have implied that this House reserved to itself the power not only to criticise the details, but even to reject the Vote altogether. Otherwise it would be a mere mockery to put these sums on the Votes at all.

MR. P. O'BRIEN: In Kew Palace there is a very valuable house which, not being now occupied, might be used for housing the poor, and I, for, one would gladly vote a sum of money for that purpose. But I will not vote money for a building that nobody will occupy.

Question put.

The Committee divided:—Ayes 107; Noes 205.—(Div. List, No. 62.)

Original Question again proposed.

(4.37.) MR. LABOUCHERE: I beg, Sir, to move that this Vote be reduced by about one-half, namely, £17,920. On a previous occasion we were asked to take a Vote on Account, and we took that Vote on Account in a cheerful and generous spirit. At that time I took the liberty of inquiring about the date of the Dissolution, and I cannot say that after hearing the answer I knew more about the date than before the reply. At the present moment we are asked to give Estimates for the entire year, for the additional ten months, making a year's Vote on Account. There are circumstances that may lead us to think that it is undesirable to give Estimates for the entire year without first having obtained some sort of as-

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surance in regard to the future action of Her Majesty's Government. I am not going to raise the question when the Dissolution will take place, but there are one or two questions which I would venture to ask the right hon. Gentleman the First Lord of the Treasury. Our knowledge of the future can only be derived from experience of the past. I read, a few days ago, a speech made by my right hon. Friend the Member for Newcastle, in which he pointed out that, in accordance with all usage during the present century, no Parliament lasted by a month or two more than six years. The present Government are a Government essentially of precedents and old practices, and therefore I may assume that the Dissolution will take place some time this year. And in voting this sum of money for the whole year we may possibly be voting an expenditure which will take place when another Parliament has been elected, and over which that Parliament would have no species of control. Therefore, acting entirely upon precedents, before agreeing to the Vote being taken for the whole year, I would ask the right hon. Gentleman for two assurances, and I think he will see it would be only reasonable to give those assurances. The new register is made up to the 31st July, and it does not come into force until the 1st of January. On two previous occasions, in 1868 and in 1885, when there has been a Dissolution in the autumn of the year, the register of that year made up to July has been anticipated, an extra number of revising barristers are put on, with the result that if the Election takes place in October or November it is not always upon the register of the previous year, but upon that of the actual year. This, under all circumstances, is most desirable. A great number of persons of the artizan class, agricultural labourers, and others, move frequently in the course of the year, and to deprive every one of them of a vote who has not lived 15 or 16 months in the same place would be grossly unfair, and perhaps lead to us not obtaining the real opinion of the country upon the issues submitted to it. Supposing the Dissolution takes place, therefore, before the 1st of January next year, we may expect the right hon. Gentleman will bring in the usual Bill, anticipating the effect of the registration of

31st July of this year, and taking the Election upon the register of this year and not upon the register of last year? The first assurance I ask is that whenever there is a Dissolution, before the end of the present financial year, 31st March, 1893, the right hon. Gentleman will immediately call Parliament together. I would quote as a precedent a speech of the right hon. Gentleman the President of the Board of Trade on a somewhat similar occasion in 1886. The right hon. Gentleman then asked for some assurance from the right hon. Gentleman the Member for Midlothian, who was then Prime Minister, that Parliament would be called together immediately after the Election, and he cited in favour of that view Sir Robert Peel, Earl Russell, and various other high authorities. On that occasion the right hon. Gentleman the President of the Board of Trade said—

“Now, Sir, that is the question which I address to the right hon. Gentleman. Will he give us the pledge that was asked for, on the reasons quoted, by Sir Robert Peel in 1841, supported by him with all his constitutional authority by arguments which I do not believe can possibly be refuted, and which apply, to my mind, more strongly now than then, and which, I venture to say is a pledge that ought to be insisted upon by the House of Commons.”

And the right hon. Gentleman the Member for Midlothian, in reply, dealt with the matter historically and said—

“Then I understand his question to be, ‘Will you undertake that Parliament will be called together at as early a day as possible, for the purpose of determining who are to be the Government, and what is to be their policy?’ I have shown that that has not been the course pursued on the occasions which have occurred of the defeat of the Ministry since 1841. But, at the same time, I am disposed to think that there is a good deal of weight in some of the suggestions of the right hon. Gentleman. It may be that the Dissolution may have results so unequivocal that they may speak for themselves. It may be, on the other hand, that they are of a more equivocal character. I am disposed to make this admission on my own responsibility. It is highly probable that it may be the better course that Parliament should meet for the purpose of determining this great question of policy at the very earliest possible moment. I think it quite certain that it ought to meet at an early period. I have stated that I feel very strongly that the country ought not to be allowed to remain in uncertainty after the General Election as to the policy likely to be pursued with regard to Ireland.”

The right hon. Gentleman the Member for Midlothian acceded to his demand, said it was a reasonable demand, and that, in the circumstances, Parliament

ought to be called together at once, that the government of the country might be placed at once in the hands of those men in whom the country had expressed its confidence. I think the course of these Estimates would run more smoothly if we could obtain this assurance. But, in any case, I have only thought it reasonable to ask the right hon. Gentleman for this assurance before we give the amount for the entire year, and I move the reduction of the Vote accordingly.

Motion made, and Question proposed,

“That a sum, not exceeding £11,925, be granted for the said Service.”—(*Mr. Labouchere.*)

(4.45.) MR. A. J. BALFOUR: I note that the hon. Gentleman in the speech he has just made to the House has not put any question to the Government—and in this I think he was well advised—as to the date of the Dissolution; but he asks me for information on two quite different and separate subjects; and, first, as to the arrangement that ought to be made for carrying on the Register in the event of the Dissolution not taking place before the 1st of July.

MR. LABOUCHERE: Between the 30th of July and the 1st of January, or at the end of August.

MR. A. J. BALFOUR: In August or September. And the hon. Member quoted in favour of the course of action the precedents of 1868 and 1885; but if he casts his memory back he will see these were the two years in which this House passed Reform Bills, and in which a Dissolution was rendered necessary in consequence of the fact that the Reform Bill had been passed, and, as a consequence, it was equally necessary that the new voters brought on the Register in consequence of the Reform Bill should have an opportunity at the approaching Election of recording their votes. These were the only two precedents he was able to quote, and I draw from that fact the conclusion that there is no precedent where there was no Reform Bill for carrying out his suggestion. Therefore, if we be a Government of constitutional precedents, which he says we are—and I am quite willing to accept the compliment at his hands—we shall not carry out the policy he suggests, and I think he will see it would not be wise.

The Crown has the power of dissolving in any one of the seven years during which Parliament may legally exist. If the hon. Gentleman's policy were carried out the Crown would not be able to dissolve Parliament between the 31st August and 1st January in every year, and either the prerogative would be diminished by one-half in each year, or in each Session there would have to be a Bill brought in at the end of July supplying the additional register, which the hon. Gentleman desires, in order that if a Dissolution were required the register coming in force on the 31st July may be the one on which the Election should actually take place. I think the hon. Gentleman will feel that not only are the precedents against him, but that common sense and reason are against him, and that the very nature of the Constitution requires that full discretion and liberty should be left with the Crown in dealing with this question. The second point of the hon. Gentleman was this: He asked the Government to give him a pledge that if there were a Dissolution, Parliament should be called together immediately on the results of the next Election being known, and he supported that request by a quotation from Sir R. Peel, which was employed apparently by my right hon. Friend the President of the Board of Trade (Sir M. H. Beach) in 1886, who put a question, as Leader of the Opposition, to the right hon. Gentleman the Member for Midlothian, then at the head of the Government. Well, Sir, I have had no notice of this question being raised, and I can only take my history straight from the hon. Gentleman himself; but even on the version of the history he has given us it appears to me that he has no title to put this forward as a demand based on constitutional usage, for it appears from what he has just said, and from the answer given in 1886 by the right hon. Gentleman the Member for Midlothian, that though it is true Sir Robert Peel in 1841 contended that Parliament should at once be called together, Sir Robert Peel did not invoke invariable constitutional usage in favour of his plea, and since that occasion the practice is entirely the other way. I am taking this from the hon. Gentleman, as I have not looked the matter up for myself. The hon. Gentleman read out a glossary or commentary of the right hon. Gentleman the Member for Midlothian, upon Sir

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Robert Peel's dictum of 1841, and as I understand that, after the historical survey by the right hon. Gentleman the Member for Midlothian—and no one is more entitled to speak on such a subject—his opinion was that constitutional usage, at all events since 1841, had not been in conformity either with the contention of Sir Robert Peel in 1841, or the request made in 1886 by the President of the Board of Trade. Therefore, I conceive it would be a matter for the decision of the Government of the day, and I conceive also that the Government of the day would bear in mind, in coming to a decision, all the facts which the hon. Gentleman has set before us, and bear in mind the arguments which convinced Sir Robert Peel in 1841 and which appealed so strongly to the mind of my right hon. Friend in 1886. I understand that it was found convenient by the Government in 1886, after the Election, to call Parliament together in accordance not with the pledge, but with the indication of intention, given in 1886 by the right hon. Gentleman, the Member for Midlothian. I do not know, Sir, that there is anything more I can say on this subject. The hon. Gentleman and the House may rely upon it that whatever decision the Government have to make upon this question, raising the grave and important constitutional questions of Dissolution and calling Parliament together, whatever advice they may think it their duty to give to Her Majesty on these subjects, they will most carefully weigh and consider every constitutional argument and consideration which can be brought to bear on the subject.

MR. W. E. GLADSTONE (Edinburgh, Midlothian): I do not suppose that it is the intention of my hon. Friend the Member for Northampton (Mr. Labouchere) to press this matter to a Division. I rather imagine his intention has been to draw as much explanation from the Government, to obtain as much light as to the probable course of events in the near future, as he could—a most laudable intention, no doubt, and greatly for the comfort and advantage of all Members of the House if he could have succeeded in cajoling or inducing the right hon. Gentleman to give us some effectual light on that great question which is in the minds of all of us, when the Dissolution is to take place. There is, however, a reason, perhaps there may

be more than one, why the right hon. Gentleman has not elucidated it to that extent; one reason why he has not done so may be that he does not quite know himself. Therefore, I have no complaint to make of the right hon. Gentleman. However, I was not quite satisfied with his doctrine upon the first of the two demands made upon him by my hon. Friend. My hon. Friend, as I understood, demanded that if a Dissolution were to take place any year in or after the month of September that Dissolution should be preceded by a measure passed through Parliament for the purpose of accelerating the operation of the new register. My hon. Friend contended, and I agree with the contention, that it would not be satisfactory if, under the circumstances of the present year or any similar circumstances, a new Election should take place upon an extremely old and nearly exhausted register. I do not think there ever has been, within my recollection, any Election on a very old and nearly exhausted register, and as my remembrance embraces, or ought to embrace, the case of not less than 15 Parliaments, if I be correct, that is a considerable number of precedents and authorities. The right hon. Gentleman, in his argument on this part of the case, overlooked what appeared to me to be the most essential part of the argument of my hon. Friend. The right hon. Gentleman, with the ingenuity which characterises him on all these occasions, entered on this course of reasoning: He said the Crown has at all times the power of dissolving; and if your doctrine be sound that there never ought to be a Dissolution in the later months of the year without an accelerated register. Then, unless a Bill be brought in annually to accelerate the operation of the new register, the prerogative of the Crown must be virtually placed in abeyance. But I think he overlooked a consideration which appears to me to be essential—the prerogative of the Crown to dissolve at any moment; and it would be most inexpedient, perhaps even perilous, that that prerogative should be locked up as a matter of certainty for any portion of the year. But the probability in the first place, of its exercise in the later months of the year without notice, is a probability so faint that it can hardly be said to exist, and it would be ridiculous

to pass Bills continually for the acceleration of the register with reference to a contingency of that kind which, so far as I know, has never occurred. Such a Dissolution as I have in my mind—a hurried, sudden, and unexpected Dissolution, an exercise on some sudden occasion of the prerogative of the Crown—I do not recollect to have ever occurred in the later months of the year. The point of my hon. Friend is, as I understand it, that it would be more reasonable at the present moment. No doubt my hon. Friend or some other hon. Member will find an occasion to revive the question he has raised to-day before we have advanced very greatly further into the business of the Session. As business is carried on matters will develop themselves, and, undoubtedly, when we come near to the natural death of Parliament it is very desirable that Members should have such light as can be given. I am making no censure on the Government. I do not say that the time has yet come, but I think the time may come, and, further, I think it obvious that should the business of Parliament, or any cause, lead the Government to withhold their advice for Dissolution till a late period in the year, the Dissolution being, as I say, a foreseen Dissolution, and not the result of a sudden emergency, with respect to which the hands of the Crown ought to remain entirely free—as I quite agree—but a Dissolution belonging to the natural and proximate extinction of the life of Parliament, I hold the opinion very strongly that, in such a case as that, if the Government see cause to postpone their advice with respect to Dissolution until the autumn months, it would be a wise and reasonable and constitutional thing that in our foresight of these circumstances we should include the introduction of a Bill which will facilitate the operation of the new register. I say this, without calling for any fresh declaration from the right hon. Gentleman on the subject, and while I should think it entirely premature to press him at such a moment as this, I do think the general contention of my hon. Friend is a rational contention, and that it would be far more in the spirit of the Constitution to operate with a register one month old than with a register ten or eleven months old. With regard to the other subject of the proposed pledge as to the meeting of Parliament, there again I think, till we

see our way further into the circumstances, we cannot require of the Government that they should lend themselves to any very precise and determinate conclusions. I think it might be not inconvenient in the circumstances of the time if we were to have laid before us the dates of all Dissolutions that have taken place since the Reform Act of 1832 and the times of the meeting of Parliament. I must admit that there is one case which occurs to my mind which shows that Dissolution has not always been followed immediately by a meeting of Parliament. That was in 1837, when a Dissolution took place in the summer on the demise of the Crown, and Parliament did not meet till the following November, and I am not sure, indeed, that even in November it was not called together on account of special exigencies connected with the demise of the Crown, and the necessity of settling the new Civil List. I do not think we can press the Government further at the present moment, but, at the same time, I do think these are questions upon which, when circumstances are mature, information ought to be given to us, and the veil of the future, as far as possible, drawn aside, because these are questions upon which such an amount, not only of personal interests, but of convenience, and even almost personal necessity, depends, and in the necessities of Parliament so many interests of so many classes are involved, that it is obviously expedient that at the proper time we should receive the best information the Government is able to give us. When that proper time is to arrive it would be premature for me to attempt to decide, but I do feel strongly that before many months elapse we should have a renewal of a discussion which at the present time I have no disposition to prolong.

MR. LABOUCHERE: I ask leave, Sir, to withdraw my Motion, and merely wish to say that no doubt I, or some other Member of this House, will ask on some future occasion to have the veil withdrawn. At present I have not secured the information; but as the right hon. Gentleman the Member for Midlothian said, it is not a question of whether we ought to obtain it, but of when we ought to do so. I do not want to anticipate things at all, but I hope the right hon. Gentleman will take into consideration the observations of the right

Mr. W. E. Gladstone

hon. Member for Midlothian, and when the time for the next inquiry comes he will be prepared to assure us that he is not going to the country on a register 14 months old.

DR. TANNER: May I ask the right hon. Gentleman whether, as he has called attention to the fact that there was a Reform Bill on the two occasions quoted by my hon. Friend, we are to understand that the Irish Local Government Bill is not a Reform Bill; or, if it be, are we to understand that it is not going to be passed this year?

MR. MORTON: I think there is a general feeling in the country, among both Tories and Liberals, that it would be convenient that we should know pretty soon the date of the Dissolution. The present uncertainty causes a great deal of uneasiness, unnecessary expense, and, I am told, considerable disturbance to trade. I think it would be wise if the Government would take into consideration the question of the register, and let the country know as soon as possible whether the Election is to be in one, two, or three months' time. I do not think it should be late in the autumn; but if it were, the Government should get the voters' list accelerated, so that the new voters might have an opportunity of exercising their rights. I know it is not of very great importance to many hon. Gentlemen opposite, because they are well aware that they are not coming back, whether the General Election takes place earlier or later, on a new Register or an old one, but I can understand and sympathise with the desire of hon. Members who are coming back to know what time it will be.

(5.11.) MR. BLANE (Armagh, S.): The hon. Member for Northampton has asked the Government for pledges, but I think the Front Opposition Bench might give us a little information. Up to the present they have not told us what they propose to do.

THE CHAIRMAN: That topic is not connected with the present Vote.

MR. BLANE: I regret that before the hon. Member put that question to the Government he did not consult some of his friends, especially on subjects which concern Ireland. I may say that we have no belief in the absolute faith of any Party.

THE CHAIRMAN: The Question

before the House is the reduction of the Vote for the Royal Palaces.

MR. BLANE: It is absolutely indifferent to me what Government is in power so long as we make them useful to ourselves. The pledges and promises of the Government are valueless, and the same thing may be said of the Opposition. We intend to be hard taskmasters, and shall not be content with promises in future.

THE CHAIRMAN: Order, order!

MR. BLANE: I regret that the same latitude is not allowed to me as to the Member for Northampton. If I had followed him sentence by sentence I should be inclined to say that I am entitled to demand pledges as he did, as I care not on which Bench the men sit from whom I want the pledges.

THE CHAIRMAN: I must warn the hon. Gentleman that continued irrelevance will bring upon him the necessity of keeping his seat.

(5.16.) MR. PICTON (Leicester): I find in May's "Parliamentary Practice" that in 1841 only one half of the Estimates were presented to the House because a speedy Dissolution was anticipated, and the remainder of the Estimates were passed by the new Parliament. The same thing was done in several other years, and I find the same instances mentioned in Dod's "Parliamentary Companion." It seems to me that if we vote the whole of the Supply we may be going beyond what we have any right to do and voting money that should be passed by another Parliament. I should like to know whether precedents are to have any weight, and whether the doctrine laid down by these eminent authorities should not be respected in the present case. As no answer is given by the Government to this appeal we shall not agree to this Vote.

(5.17.) Question put.

The Committee divided:—Ayes 92; Noes 232.—(Div. List, No. 63.)

Original Question again proposed.

*(5.35.) MR. CREMER (Shoreditch, Haggerston): I beg to move to reduce the Vote by the sum of £807, which is the amount set down as the cost of the maintenance of Kew Palace and the buildings on Kew Green. I think the defence which the right hon. Gentleman set up for the maintenance of this Vote

was of such an exceedingly weak character that it seems to me absurd to imagine that any real economist can consider the amount asked for as just. I content myself by just referring to two or three items which go to make up the Vote. The right hon. Gentleman has admitted that this is a palace in which nobody lives. He is not able to inform us how long it is since it was tenanted, and yet year by year we are called upon to vote sums of money for the purpose of keeping this palace in a state of repair and providing new furniture. Nobody can tell why these items are demanded from the House from year to year. The first item I find is £39, a small sum undoubtedly—all the items are small, but they make up a very considerable sum, nearly £1,000. £39 is set down for salary, wages, and allowances. Why a sum, no matter whether it is £39 or 39s., should be asked for salary, wages, and allowances for persons to look after a house in which nobody lives, I cannot understand. Then somebody is clothed at the cost of the nation. The item is a small one; but I hope to know who it is whose salary, wages, allowances, and clothing are provided at the cost of the nation. £50 is also asked for new works, alterations and additions, and why it is found necessary to increase the size of a building in which nobody lives justifies us in asking for an explanation from the right hon. Gentleman. There is also an item of £495 for the maintenance and repair of this palace in which nobody lives; and in addition to that, £144 for providing fuel, light, water, and household articles? for this extraordinary building, in which nobody has resided for a series of years. Why is it necessary to expend £144 on fuel, light, water, and household articles? I think the items which I have referred to, and upon which no information has been forthcoming, warrant me in moving that the whole sum of £807 should be expunged from this Vote. The item is a mere trifle, I admit, to many hon. Members sitting on that side of the House, and probably to many sitting on this side; but considering that the £807 has to be paid in great part out of the pockets of the poorer classes of our countrymen, who live, some of them, eight or nine together in one miserable hovel—very often in one room—in the East End of London, it seems to me

that to keep up institutions such as are included in this Vote is to say the least an absolute injustice to the poorer classes of our countrymen. I want it to be understood that this is a protest vote, not merely against maintaining palaces in which nobody lives, but against excluding the public from the large area which is fenced in. I therefore hope that this may be regarded as a protest against the maintenance of this palace in which nobody lives, and the closing up of acres of ground on which nobody walks.

Motion made, and Question proposed, "That a sum, not exceeding £29,043, be granted for the said Service."—(*Mr. Cremer.*)

***MR. PLUNKET:** I did not understand when I tried before to give the particulars of these expenses that further particulars would be required. In the first place, it is an entire mistake to suppose that the whole sum asked for in this item is spent upon a palace in which no person lives. If the hon. Member will look at the Paper he will see that this not only applies to Kew Palace, but also to the three cottages on Kew Green being all occupied; and there is only about £250 of the £807 which is spent on the palace itself. And then the hon. Member asks what are the particulars of expenditure under certain sub-sections. Well, as I have already said, there are four or five houses on Kew Green which are covered by this particular Vote.

MR. CREMER: Will the right hon. Gentleman state who lives in the cottages on Kew Green?

***MR. PLUNKET:** Certainly. Cambridge Cottage on Kew Green, which was purchased by George III., and so came into our hands, is inhabited by the Duke of Cambridge. Beach House is inhabited by Miss Harrison; and Kew Cottage is inhabited by Lady Helps and one other lady. The whole of Kew Gardens was presented by Her Majesty the Queen to the nation for its present purpose, and all that immense space is available for the public. The sum put down is not excessive, seeing that four or five buildings have to be kept up, and that small sums are paid towards the expenses of equipping and drilling a local volunteer brigade for the protection of these buildings in case of fire. I believe that I have now answered all the questions that have been put to me.

Mr. Cremer

(5.43.) **MR. MORTON:** I shall support my hon. Friend if he goes to a Division upon this matter. If these houses are to be kept in repair, they should be occupied by somebody. There are many deserving objects of charity for which they might be utilised. I would venture to suggest that the right hon. Gentleman should induce the authorities to give up Kew Palace to the Salvation Army. It would be a very excellent place for the reception of the waifs and strays which have been rescued from the worst classes of society. If devoted to that purpose it would not only be a saving to the Government, but it would be promoting a good cause. There are four other buildings to which this Vote refers. I think that one of them is occupied by the Duke of Cambridge. Now, I do not see why the taxpayers should be called upon to pay anything towards the upkeep of the Duke of Cambridge. He gets a large allowance from the taxes as a member of the Royal Family; he has a very big salary as Commander-in-Chief, and he also receives other perquisites as Ranger and in connection with other offices which he holds. Altogether, therefore, he gets a pretty good share of the taxes of the country without calling upon us to keep this house in repair. I think this part of the Vote, at least, should be struck out, and I shall support the reduction to that extent. It is disgraceful that the Duke of Cambridge should expect the ratepayers to pay it. If his salary is not enough, let him bring his application for more before us, and we will consider it. I certainly do not see why the public money should be frittered away in this manner.

(5.50.) **MR. P. O'BRIEN** (Monaghan, N.): I quite agree that the amount put down for repairs to the house occupied by the Duke of Cambridge should be struck out. The question has been raised as to whether some place could not be found to serve as a last resting-place for the brave old soldiers who have distinguished themselves in the Service of their country. I would suggest that Kew Palace might be used for the purpose, and be called a home for the brave. I am not myself in favour of wars; but if we ask our soldiers to go abroad to fight for the honour and glory of Great Britain, we should send them out with the hope that if they return they will find a last home (other than

the workhouse) on their own soil. If it could not be set apart for that purpose, Her Majesty might let it at a profit rent, and not allow it to remain as a retreat for jackdaws. I hope the right hon. Gentleman will give some assurance that this demand will not re-appear on the Estimates. He must himself feel the awkwardness of having such a Vote on the Paper, and he must also recognise the advisability of appropriating it for some useful purpose. For instance, the London School Board might like to have the palace, and to turn it into a home for truants, or for those little children who in the courts and alleys of London hardly ever see the light of heaven. I shall support the reduction of the Vote.

(5.56.) DR. TANNER (Cork Co., Mid): Before the Division is taken, I would call attention to the extraordinary disproportion in the salaries, wages, and allowances in the Vote for Marlborough House; that is, if I am not out of order in discussing it on this Vote. I have taken the opportunity this year of studying the Estimates—

THE CHAIRMAN: The hon. Member is not in order in discussing this matter on an Amendment with reference to Kew Palace only.

(6.5.) Question put.

The Committee divided:—Ayes 116; Noes 200.—(Div. List, No. 64.)

Original Question again proposed.

(6.8.) DR. CLARK (Caithness): I would call attention to the fact that a shilling is still charged for admission to Holyrood Palace, Edinburgh, whilst the admission to every other Royal Palace is free. The money so obtained is sufficient to cover all the expenses, and leaves about £54 towards the expenses of Kew Palace; but I contend that the Royal Palace in Scotland should be opened free like the other Royal buildings. Holyrood has nothing in it except a few portraits of what are supposed to have been the early Kings of Scotland. I admit that there are three free days, but I hope that on the remaining three days the palace will also be thrown open free to visitors. It is really Englishmen and Americans who pay money to go into it, and I do not see why this last charge for admission should be allowed to remain.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I should like to call

the attention of the right hon. Gentleman the First Commissioner of Works to the new form in which the Estimates are presented, by which these Appropriations in Aid, which used to be taken as extra receipts, are now used by the Department and go to reduce the items voted. Whilst there is apparently no reduction, as a matter of fact, after deducting the Appropriations in Aid, the expenditure this year exceeds that of last year. In these circumstances, I should like to ask the right hon. Gentleman whether he would not think it well that we should have in the future full particulars of what these Appropriations in Aid are, from what quarters they are received, and wherein their application differs from the practice under the old system? It is impossible for us to check these Votes unless the details are fully stated year by year.

MR. MORTON: I should like to ask the right hon. Gentleman for some information with respect to Holyrood Palace, which I am told has fallen into a state of disrepair. It is a thoroughly disgraceful proceeding on the part of the Board of Works to allow an historical building of that sort to go into a dilapidated condition. It is generally complained that the Government have neglected all the old and historical buildings in Scotland and have spent money elsewhere. I should be glad if the right hon. Gentleman would give the Committee an assurance that the Palace of Holyrood will be kept in a proper state of repair. I should also like the right hon. Gentleman to tell us something further as to the one shilling charge for admission to the palace, and also why the chapel adjoining the palace has been allowed to fall into a ruinous condition. I think that is a most unwise thing.

DR. FARQUHARSON (Aberdeenshire, W.): The one shilling charged for admission to Holyrood is paid not by the residents of Edinburgh nor even by the Scotch people generally, but by Americans and foreigners, and the ordinary disciples of Mr. Cook; and in respect of their shilling these people have the advantage of seeing a sight which is well worth the money. Holyrood is one of the most interesting of the historical buildings in this country, and the people who pay a shilling to see it get, I repeat, value for their money.

MR. LENG (Dundee): I should like to protest against the extraordinary doctrines that have just been promulgated by my hon. Friend, that a charge of this kind ought to be maintained simply because it is paid by Americans and foreigners. What should we think of the Americans, supposing they had, as I suppose they will have in time to come, ruins to which an historical interest attaches—what would we think of them if they levied a tax upon the Britisher simply as a means of making a certain revenue. The argument of the hon. Member would apply to Windsor Castle and to other buildings to which the public resort. The tendency in recent years has been to get rid of such imposts and to throw open these buildings upon fair and reasonable conditions to the public, whose property they are.

*MR. PLUNKET: Yielding to the demand that was made last year, the Palace of Holyrood will now be open to the public on three days out of every week.

DR. CLARK: Our claim is that this Royal Palace, like all the others, should be free every day.

*MR. PLUNKET: Last year the utmost demand that was made was that the palace should be open three days a week. That has been conceded; and I am told it is in consonance with the feeling of the people of Edinburgh. At any rate, before going further, I think we had better wait and see how the change works. The hon. Gentleman opposite has asked me about the Appropriations in Aid. I have spoken to my right hon. Friends who are specially conversant with those questions, and there will be no objection to giving, in future, fuller particulars of these Appropriations in Aid. There were really no such details in the former Estimates; but there will be no objection in future Estimates to give such details as can be supplied. In some instances, of course, we must lump the sums, because it must be obvious they could not be set out in detail in the Estimates.

MR. SYDNEY BUXTON: I do not want particular and minute details, but as full details as were given in finance accounts when these sums were paid into the Exchequer under their respective heads. I understand the Secretary to the Treasury will look into the question, and, if so, I am satisfied.

MR. MORTON: The right hon. Gentleman has not answered my question respecting the Palace of Holyrood. It is in a state of disrepair, which is a disgrace to the nation. I wish to say how much I agree with the brave and patriotic sentiments of the hon. Member for Dundee.

DR. TANNER: A great deal of money has recently been spent in providing pantries and everything in connection with the *cuisine* of Marlborough House. This year we are called upon to pay £550 for the building of wine cellars, and I should really like to know when this sort of thing is to end. Then, again, Sir, I should like to call attention to the extraordinary discrepancy between the salaries and wages of some of the officials. At Buckingham Palace the turncocks get a salary of £81; at Windsor Castle they are paid £127; at St. James' Palace, £91; and at Hampton Court only £57. Now, Sir, at Hampton Court there is a large and valuable collection of art treasures—valued, I suppose, at many hundreds of thousands of pounds—and I should like to know why the turncocks there are paid so low a salary. The warders have only 20s. a week, with five shillings extra per week in the case of eleven of them in lieu of apartments. Why should these men be treated in that miserable way, and why, in the item of £31 for controlling the fire brigade, paying charwomen and providing medical attendance, should the medical attendance be put after and rated lower than the services of the fire brigade and the charwomen?

*(6.30.) MR. PLUNKET: As regards the turncocks, their salaries are apportioned according to the responsibilities of their positions, they have to look after the proper supply of water to the various buildings. The charge for labourers will be found included in another part of the Estimate for the expense of maintenance and repairs. As regards Marlborough House the repairs were necessary, for instance, in the cellars, where owing to defects—and it is a result I am sure the hon. Member will deplore—a large quantity of valuable wine was destroyed.

DR. TANNER: Not an unmixed evil, considering the association of gout with port wine.

(6.31.) MR. MORTON: From a temperance point of view, and for the advantage of example in a Royal Palace;

I should be glad to find the cellarage diminished. I should like to have some information in respect to Holyrood Palace. Is it kept in good repair?

*MR. PLUNKET: I can assure the hon. Member Holyrood is in an excellent state of repair.

Original Question put, and agreed to.

Resolution to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £75,643, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1893, for the Royal Parks and Pleasure Gardens."

(6.33.) MR. PHILIPPS (Lanark, Mid): There is one question I should like to ask in reference to St. James's Park. Is there any objection to the removal of the steps at the Duke of York's Column and to making a roadway into the park there? I do not think there is any difficulty. The slope of the ground from Waterloo Place is the same as the slope into the park by way of St. James's Street, and it will be seen by anybody who examines the place that the steps are built into a partly artificial mound. It would be possible to construct a roadway without any very serious work and at slight cost. These few yards of roadway would give driving access from the North through the park to the South, and in a small way would add to the public enjoyment of the park. It would not deprive the houses in Carlton House Terrace of any privacy, for the roadway close by is already used by cabs and other vehicles. It would cause annoyance to nobody, and it would be a public convenience to have this drive open from Waterloo Place to Storey's Gate.

*(6.35.) SIR R. TEMPLE (Worcester, Evesham): I am in order, I think, in referring on this Vote to the establishment of gardeners and labourers at the Royal Botanical Gardens at Kew. I am anxious to secure from my right hon. Friend a kindly consideration of their case, which has been before him more than once, and doubtless he is familiar with it. There is among these men—trained gardeners and labourers—a considerable amount of discontent at the position of disadvantage or inequality, as regards pay, in which they are placed as compared with men of a similar class in parks within the Metropolitan area, and at Hampton Court almost in sight of

them. It is urged on their behalf that the locality in which they live and labour is just as expensive as the Metropolis, and though they are just outside the borders of London it is a densely populated and expensive neighbourhood. The conditions of their employment are the same as those within the Metropolitan area, and they ask—I do not say demand—that they shall be put on an equality as regards remuneration. Their work must be excellent, for the Botanic Garden which they cultivate is admitted to be the finest in the world. I believe it has been replied that these men have various little perquisites in connection with their position in the gardens, but these have but a small financial value, and in no way make up for the difference between their pay and the pay of their Metropolitan brethren. In the same way the police in the gardens make a similar claim. They wish to have the same official status as their brethren in the Metropolitan areas. The case has been before my right hon. Friend in previous years, and there may be reasons why the request has not been granted. I do not know what the reasons may be, but I do earnestly press upon him that he should give consideration to the claims of a deserving class of public servants. It is understood that there is some discontent at Kew on this point also.

(6.40.) MR. SEYMOUR KEAY (Elgin and Nairn): It is high time attention was called to some of the items in this Vote. We have, it appears to me, sinecures of all sorts in connection with these parks. For Richmond Park we have a ranger, a deputy-ranger, an assistant superintendent under-ranger, and there is a salary for a gentleman called a bailiff. It is sometimes held on the other side of the House, and, perhaps, on this side also, that there is a certain invidiousness in calling attention to these items, but for my own part I cannot join in that view. If this Vote comes before us at all it is for our criticism. True, the amounts are not very large, but the persons to whom I have referred draw amongst them salaries to the amount of £1,500 a year, but I am convinced that even the ingenuity of the right hon. Gentleman will not enable him to say that £1,500 worth of duty is done by these officials. In the first place, there is the ranger himself, and I ask the right hon. Gentleman if it is not an invidious ques-

tion who the ranger is? The country, I think, will be interested to know who fills these sinecure offices. The salary is small—£109 10s.—and if it is not a sinecure, then I think we must sympathise with the occupant of the office, for the emolument is dealt out with a not too liberal hand. Perhaps the ranger is a military officer receiving pay from Army funds. If so, I hope that pay is on a more liberal scale than the item in this Vote. But are there any duties attached to the receipt of this salary? I have never seen any “ranging” in Richmond Park. I have seen tall upstanding horses, mounted by tall men covered with long cloaks to the horses’ tails, but I have always thought these were members of the Surrey Mounted Police. It may be the ranger, deputy ranger, or under ranger, may have been among these horsemen. I notice that the superintendent under ranger, who I take to be the third officer in point of dignity, has much the higher salary. Is it the fact that he actually does all the “ranging” there is to be done? In fact, I shall be glad to have some information about these offices; and, as a protest against what I believe to be a waste of money upon sinecure appointments, I move the reduction of the Vote by £500.

Motion made, and Question proposed,

“That a sum not exceeding £75,143, be granted for the said Service.” (*Mr. Keay.*)

*(6.47.) **MR. PLUNKET**: The ranger of Richmond Park exercises supervision over the park, and he has charge of the herd of deer there. The present holder of the office is His Royal Highness the Duke of Cambridge, and there is no one from whom I have received more valuable advice and assistance in the management of the Royal Parks than His Royal Highness. The bailiff is a retired military officer, and he acts as bailiff of all the Royal Parks. As a matter of fact, he receives £100 a year for the many and really most valuable services he renders in addition to retired pay—£600.

MR. STOREY: Who is the assistant superintendent under ranger, who gets £90, and does all the work?

***MR. PLUNKET**: His name, I think, is Graham. With regard to the gardeners at Kew and their position, I can assure my hon. Friend—

Mr. Seymour Keay

It being ten minutes before Seven of the clock, the Chairman left the Chair to make his report to the House.

Resolution to be reported upon Monday next; Committee also report Progress; to sit again this day.

MR. STOREY: Is it intended to take Supply this evening?

MR. RITCHIE: Yes.

MR. STOREY: A large number of Members have left the House under the impression Supply would not be taken, seeing that it is not down on the Order Paper. It will be very inconvenient.

MR. RITCHIE: It is the intention to set down Supply for to-night.

MR. STOREY: I regret the Government should have formed that intention, because several of my hon. Friends desire to be heard on matters which they would bring forward, but they have left the House unaware that Supply was to be taken. However, it will be our duty to direct the attention of the House to other matters.

HARES BILL.

Lords Amendment to be considered forthwith.

DR. CLARK: May I ask what is this Amendment?

COLONEL DAWNAY (York, N.R., Thirsk): Merely a formal Amendment—the substitution of “Great Britain” for the “United Kingdom.”

MR. SEXTON (Belfast, W.): Not quite a formal Amendment. I have been in consultation with an eminent Member of the other House, and it appeared that if the Amendment were not made there would be reason to fear that Ireland might suffer prejudice. The Amendment carries out the intention of the Bill.

Lords Amendment considered and agreed to.

EVENING SITTING.

SUPPLY—COMMITTEE.

Motion made, and Question proposed, “That Mr. Speaker do now leave the Chair.”

MR. LENG rose to speak—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,—

House adjourned at five minutes after Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 4th April, 1892.

SAT FIRST.

The Earl of Minto after the death of his father.

FIRES &c., ON PASSENGER SHIPS.

EARL DE LA WARR: My Lords, I wish to give notice that after the Recess I propose to call attention to the subject of fires on board passenger ships carrying inflammable substances, and to ask Her Majesty's Government whether any measures can be adopted, either through the Board of Trade, or otherwise, to afford greater security to life and property, especially with reference to transatlantic steamers.

PRIVATE BILLS—STANDING ORDER No. 133.

*THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): My Lords, I beg to move the Amendment to Standing Order 133 which stands in my name. Under the present Standing Orders Local Authorities, and Corporations, are absolutely precluded from working tramways constructed within their Municipal areas. The House of Commons have already passed such a Standing Order as I propose your Lordships should pass to-night; and the reason of it is simply this: that where Corporations are extending their tramways beyond the most populous parts of their boroughs, it is found that where they have already tramways existing in the boroughs worked by companies under lease from them they are at the mercy of those companies in respect of the extended tramways; the Tramway Companies practically being able to impose their own terms upon the Corporations. Your Lordships will see that there are in the Standing Order I propose ample provisions to prevent the Municipalities in ordinary cases from working tramways, and I think your Lordships will agree with me that that is quite outside the ordinary business of a Municipality. With these safeguards I ask your Lordships to pass the Standing

Order of which I have given notice, and which has already passed the House of Commons.

Moved, That Standing Order No. 133 be amended as follows, namely:—

STANDING ORDER No. 133.

(No powers to be given to local authorities to run carriages and take tolls upon tramways.)

No powers shall be given to any municipal corporation, local board, improvement commissioners, or other local authority to place or run carriages upon any tramway, and to demand and take tolls and charges in respect of the use of such carriages.

Amendment moved,

“Provided that where any tramways have been constructed or acquired, or are authorised by the Bill to be constructed or acquired, by the local authority, the Committee on the Bill may, if they think fit, under the special circumstances of the case, insert a clause to following effect:—

If the local authority are unable to demise the tramways upon such terms as in the opinion of the Board of Trade will yield to the local authority an adequate rent therefor, the Board of Trade may grant a licence to the local authority to work such tramways, and the local authority may thereupon work the same, and may provide such plant, materials, and things as may be requisite or convenient therefor; and in such case all enactments relating to the working of the tramways and the taking of tolls and charges therefor shall extend and apply *mutatis mutandis* to and in relation to the local authority: Provided that if at any time during such working by the local authority any company make to the local authority a tender in writing to take a lease of and to work the tramways for such period (not being less than seven years, unless the local authority shall otherwise agree) at such rent and upon such terms and conditions as shall, in the opinion of the Board of Trade, be adequate and proper, and such company at the same time offer to purchase the horses, cars, engines, and fixed and movable plant of the local authority not included in such lease, at a price to be fixed, unless otherwise agreed on between such company and the local authority, by a competent valuer to be appointed by the Board of Trade; then upon payment of such price the local authority shall demise the tramways to such company at such rent and upon such terms and conditions, and the powers of the local authority to work the tramways shall cease and determine.—(The Earl of Morley.)

Motion agreed to.

Standing Order amended accordingly.

*THE EARL OF MORLEY: The second alteration I would ask your Lordships to make in the Standing Order is to enable Railway Companies, whose Bills are now passing, to adopt

some one of the schedules of rates which have already been passed under Provisional Orders for neighbouring lines. This will enable them to obviate the necessity and expense of having separate Provisional Orders for each Bill. I believe that no injustice or injury can be done by this change; it will be a great convenience, and save a considerable amount of time and expense to the Railway Companies concerned. I beg leave to move the same.

Moved, "That it be an Instruction to Committees on Bills of the present Session for incorporating Railway Companies that they be at liberty, if they think fit, to omit the clause required by Standing Order 123A in any case where they shall be of opinion that rates and charges in respect of merchandise traffic can be conveniently and properly fixed by reference to any schedule already sanctioned by a Rates and Charges Order Confirmation Act."—(*The Earl of Morley*.)

Motion agreed to.

TECHNICAL AND INDUSTRIAL INSTITUTIONS BILL [H.L.] COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD MACNAGHTEN: My Lords, before the question is put that the House resolve itself into Committee, I wish to say that I am, of course, most anxious to meet the criticisms and suggestions of noble Lords opposite; but it seems to me to be a matter requiring some consideration, and would, I think, be much better dealt with before the Standing Committee; therefore, if it meets your approval I should ask your Lordships to let the Bill pass through this stage, and I will take care to put down Amendments to meet the views of my noble Friends before it comes on in the Standing Committee.

Moved, That the House do now resolve itself into Committee upon the said Bill.—(*The Lord Macnaghten*.)

Motion agreed to.

House in Committee accordingly.

Clause 2.

*LORD NORTON: My Lords, I understand from what has just fallen from the noble Lord introducing this Bill that he wishes all discussion, or Amend-

The Earl of Morley

ments, to be postponed till the comes before the Standing Committee. At the same time, by way of preparation to call the attention of the Standing Committee to this Bill, I beg to say a word about this second clause, which enumerates the kinds of schools to which the land is proposed to be sold or given, either by compulsion, or by agreement,—and in settlement without, apparently, the consent of the remaindermen. The noble Earl opposite (*the Earl of Kimberley*) pointed out that defects in the Bill, and I believe the noble Lord who introduces the Bill has promised to meet that objection in Committee; but I venture to ask generally, with reference to this Bill to deal differently with this class of schools from the law relating to the same way to ordinary elementary schools—why should not elementary schools be in the same category as the schools enumerated in the second clause, for which this Bill proposes to give such facilities for getting land? If there is anything in this Bill which is intended to give this class of polytechnic schools greater advantages than the School Sites Act gives to elementary schools, then I think elementary schools have a fair claim to those additional privileges themselves. Elementary Schools for the poor have the claim upon the public, and upon the consideration of this Government. If, therefore, this gives a preference to technical schools over elementary schools, I think that is wrong, and that the additional advantages should be given to the elementary schools above that which they have under the School Sites Act, 1849. If, on the other hand, there is nothing more proposed to be given for this class of schools than is now given to elementary schools, what is the use of this long Bill? A Bill of one clause would be sufficient to say that the provisions of the School Sites Act of 1849 should apply to this class of technical schools. There is no reason why the two should be different; on the contrary, I think nothing can be more mischievous than a number of Bills for the same provision for different kind of schools. I think the noble Lord who introduced this Bill stated in his introduction that he had in his mind one particular c-

It seems to me that there is nothing more dangerous than making a general Bill to meet a particular case, which might have been met by a Private Bill. Merely to save the promoters the expense of a Private Bill a Bill is introduced with the possibility of extension and application generally to all schools of that kind throughout the Kingdom. I think that is a thing in itself extremely objectionable; therefore as it is proposed to postpone discussion, or Amendments to the Standing Committee, I give this notice, that I shall call the attention of the Standing Committee to the question which I have now raised relating to this second clause.

THE LORD CHANCELLOR (Lord HALSBURY): My Lords, I confess I think there is a good deal of principle involved in this Bill; but I think the more convenient stage to discuss it would be when it has passed through the Standing Committee and your Lordships see what changes have been made in its form. I entertain the strongest possible objection to any power for one man to give away what does not belong to him; and I think the proper course that ought to be pursued would be that if the tenant for life chooses to give away what is his, that is his own life estate, he should be permitted to do so provided it can be done without injury to the remainderman. If it was thought that there was some difficulty about it, I should think the difficulty might be met in cases where the Lands Clauses Act might be applied, where the tenant for life might waive any claim for his life interest, and then the remainderman, if he desired it, would have his interest valued and sold, and the entire fee-simple obtained for the property in question. But I confess I should look, and do look, with very great jealousy upon any system by which it was possible for one man to do what may be to the injury of another, and which he has by law and in justice no right to do. And I protest against the notion that my noble and learned Friend suggested about the impropriety of the Reverter Clause. I think it is a most proper clause, and for this reason: a man may be disposed to give land because he has an interest in

a particular institution,—it may be charitable, or religious, or what not. If it is to be turned afterwards into something entirely different, not only are the terms of the gift abandoned, but, besides that, it may be turned into something which may be very injurious to the property; and it appears to me that the Reverter Clause was devised for the express object of preventing that perversion of what you have intended. I have only said this for the purpose of giving my noble and learned Friend notice that, although I said nothing upon the Second Reading, and although here I abstain from doing anything in the nature of attempting amendment, I shall wait to see how this Bill comes out of the Standing Committee, and I reserve to myself the right to form a judgment then whether it ought to pass into law or not.

LORD MACNAGHTEN: I am much obliged to my noble Friends for their warning, and I hope when the discussion comes on I shall be able to satisfy them that there is nothing either dangerous, or wrong in the Bill.

Bill reported without Amendments, and re-committed to the Standing Committee.

LABOURERS' (IRELAND) ALLOTMENTS BILL.

THIRD READING.

Order of the Day for the Third Reading, read.

THE EARL OF ABERDEEN: My Lords, there is a slight verbal Amendment I shall ask your Lordships' permission to insert in this Bill. In order that there may be no misapprehension regarding the effect of the "acre" referred to in this Bill as the Statute acre I propose to insert the word "Statute" before "acre" at the end of the Bill. The only other remark I wish to make is with reference to some observations which were made by at least one noble Lord on the occasion of the Second Reading of this Bill, when some apprehension was expressed lest it might turn out to have an undesirable effect in the matter of increasing the evil already existing in many parts of Ireland as regards congested districts. I wish to remind the noble Lords that the principal

Acts which govern this Act make ample provision against sub-letting, or conacre or any other process which would have the effect of defeating the object of the Bill in the matter of allotments and overcrowding. With these few remarks I beg to move that the Bill be now read a third time.

Moved, "That the Bill be now read 3^a."
—(*The Earl of Aberdeen.*)

EARL FORTESCUE: My Lords, I see this Bill has come up from the other House of Parliament, and therefore I conclude it comes up with the sanction and approval of Her Majesty's Government. If I am not mistaken the Irish Boards of Guardians are to be the bodies to set this extension of the previous labourers' allotments legislation into action. The fact of the Bill coming up to us with the sanction of Her Majesty's Government is not with me quite conclusive as to its prudence in leaving too much to be dealt with at the discretion of the Irish Boards of Guardians. I remember a few years ago protesting earnestly against giving the Boards of Guardians (whose action I know something of, and have had personal experience of upon my property in Ireland) too much discretion and power in providing dwellings for the labourers. I predicted that there would be, in spite of the sanction which was required from the Castle at Dublin, instances of jobbery, of favouritism, and of spite. Well, my Lords, I am far from saying that all Irish Boards of Guardians are capable of such conduct as that; but some, certainly, have been; and the working of that Act in those respects has not been encouraging I think to the Legislature to place more in their hands than is absolutely necessary. In the case of a slight extension of the amount of land to be taken for allotments there will not be the same facilities for jobbery, or partiality, of which in the more serious undertaking of providing dwellings we have seen various instances. I do not want to oppose this measure, but I take this opportunity of recording my profound distrust of the fairness and honest dealing of certain members of the Boards of Guardians of Ireland.

Motion agreed to; Bill read 3^a accordingly, with Amendments; Bill passed, and returned to the Commons.

The Earl of Aberdeen

HARES BILL.

Returned from the Commons with the Amendment agreed to.

BILLS OF SALE BILL [H.L.]

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR: My Lords, the Bill of which I have to move the Second Reading has but one object,—that is to ascertain more precisely what the law is upon the subject of those instruments which are known as bills of sale. It happens somewhat curiously that your Lordships' House has been judicially engaged the greater part of the day in determining that question; and the difficulty that has arisen, which is sought to be cured by this Bill, is to make the different definitions in the earlier Acts appropriate to the intended objects of those Acts. There have been three Acts of Parliament passed with totally different objects, in 1854, 1878 and 1882. The object of the first two Acts was to protect execution creditors against the fraud of their debtors, and, accordingly, the Legislature with great foresight provided that in order to protect the rights of such creditors the goods should pass out of the hands and out of the apparent possession of their debtors. That was a very wise and useful piece of legislation. In 1882 another Act was passed having a totally different object, which was to preserve impecunious and illiterate debtors from the machinations of the money-lenders. With that object the Legislature provided that any instrument which was given to secure a loan should be in a particular form, which was intended by the Legislature to be so clear that any person executing it would understand what it was and to what property it applied; and any instrument executed with that object in a different form was to be absolutely void. Your Lordships will see at once that those were totally different objects, but unfortunately the draftsman of that Act thought proper to apply the same provisions to the whole code of legislation, without having regard to the particular Acts of Parliament or to their different objects. The result has been an amount of liti-

tion and confusion which it is possible to exaggerate. The object of the Bill is not to alter the law but to make clear which set of provisions should apply to each particular class of instruments. The Bill is divided into two parts; the first part deals with bills of sale generally, while the second part relates only to bills of sale intended as security for money,—so as to ascertain and make more clear and under it possible for the Courts to come to something like a unanimous conclusion as to what is the meaning of the instrument and what its legal effect shall be, having reference to that which ought to be the key to all instruments, namely, the intention which the parties actually have when they execute such instrument. That is the main principle of the Bill, and I think your Lordships will consider that if it is properly arranged and defined in the Bill it will be a useful addition to present legislation.

LORD THRING: My Lords, I know nothing of this Bill; but I only want to dress myself to one particular expression the noble and learned Lord has used, namely, that it was the fault of the draftsman who put these Bills together that any confusion has arisen. I have not the slightest wish to defend the Bill; but, my Lords, I submit that under no circumstances is the blame to be thrown in this House upon the draftsman. The draftsman is not here to defend himself; he is instructed by the Minister; and I say deliberately that every word in a Bill which is brought in here, down to the dotting of the "i's" and the crossing of the "t's," is done upon the responsibility of the Minister and not of the draftsman who drew the Bill. The draftsman is the servant of the Minister, he receives his instructions from the Minister, no discretion is given him, he is not allowed to make any alteration except under the superintendence of the Minister, and I say that the Minister who brings in the Bill is responsible for the faults of the Bill. He may of course blame the draftsman if he does not follow his instructions, but the draftsman, I repeat, is not responsible to this House or to the other House in the slightest degree.

THE LORD CHANCELLOR: Perhaps your Lordships will allow me to say to my noble and learned Friend that he appears to have in his mind some particular draftsman who has been assailed by the words I used, and that that person occupies some kind of official position. The noble and learned Lord is entirely mistaken. When I spoke of the draftsman I did not mean the Government draftsman; as a matter of fact the Act that I have most reason to complain of was introduced by a private Member, and when I spoke of the draftsman I used a convenient phrase for the purpose of referring to the person under whose superintendence it was drafted and whose drafting was deficient. I have no doubt that the Government draftsmen are extremely useful; some of them have invented an ingenious system, to which I think my noble Friend at the head of the Government referred the other day when he said that it rendered legislation more expeditious,—I am not convinced that it is to the benefit of the Houses of Parliament that they should not always understand the legislation that they pass, although I admit that it facilitates legislation,—whether it improves it or not is another question. I only rose, however, to assure the noble Lord that I was not speaking of any particular draftsman,—the author of the Bill would be equally good for my purpose; and I assure the noble Lord that what I said had no personal application to any particular draftsman.

LORD THRING: My Lords, I did not for a moment imagine that the noble and learned Lord was attacking the noble Lord now addressing your Lordships; on the contrary, I have never experienced anything but the greatest courtesy from the noble and learned Lord. Far be it from me to think that he would condescend for a moment to attack me. But what I did say and what I again repeat is, that it has been the custom of late years to say that the draftsman has done so and so,—and whether you use the term "the draftsman" or "the author" of the Bill it is immaterial. If the noble and learned Lord means by the author of the Bill the Minister in charge of the Bill then it is right; but if he means by the author of the

Bill the subordinate gentlemen, one of whom I was, who drew the Bill, I say it is wrong. I recollect some 25 years ago Sir Cornewall Lewis said in the House of Commons when the draftsman was attacked, what ought to be said on every occasion: "I do not know what you mean by the draftsman; he acts under my orders and I am responsible for every word he draws." But, my Lords, I had not the slightest idea that the noble Lord intended to attack me—such a thought never entered my mind.

Motion agreed to; Bill read 2^a accordingly, and committed to a Committee of the Whole House.

**PUBLIC AUTHORITIES PROTECTION
BILL [H.L.]**

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR: My Lords, this is a Bill which practically is a Statute Law Revision Bill, although it cannot go to the Statute Law Revision Committee, with the purpose of which your Lordships are now familiar. It is a Bill to collect together in one Act, and where necessary to amend, a very large number of Statutes which at present exist for the protection of persons exercising powers under the law which may sometimes expose them to be the subjects of litigation afterwards. I need hardly say more in recommendation of the Bill than this, that the titles of the numerous Statutes upon the subject actually occupy more than eight folio pages, and that the effect of all that eight pages is comprehended in two sections of the Bill. That is a very desirable thing to do if it is properly done, and I hope at a later stage of the Bill to satisfy your Lordships that it is properly done. That is the sole technical operation of the Bill, and if it accomplishes the object with which it is designed your Lordships will probably think that that is a sufficient explanation of its provisions.

Moved, "That the Bill be now read 2^a."

—(*The Lord Chancellor.*)

Motion agreed to; Bill read 2^a accordingly, and committed to a Committee of the Whole House.

House adjourned at Five o'clock.

Lord Thring

HOUSE OF COMMONS,

Monday, 4th April, 1892.

PRIVATE BUSINESS.

**BIRMINGHAM WATER BILL SELECT
COMMITTEE (by Order.)**

MR. D. THOMAS (*Merthyr Tydv*
rose—

MR. J. CHAMBERLAIN (*Birmingham, W.*): Before the hon. Member proceeds with his protest, I beg to ask you, Sir, whether it is in order, seeing that it now appears for the first time in the Paper in the hon. Member's name it having stood before in the name of the hon. Member for Glamorganshire (Mr. S. T. Evans)?

MR. SPEAKER: It would be hyper-criticism on my part if I were to take any objection, seeing that it is precisely the same Motion as on the previous occasion was deferred.

*(3.10.) **MR. D. THOMAS:** I rise, Sir, to move the Motion which stands in my name, and which, until a few moments ago, I had hoped the right hon. Gentleman would agree to. It will be remembered that the Bill was referred to a Hybrid Committee at the instance of my hon. Friend the Member for Merionethshire (Mr. Ellis), and, so far as I understand it was the intention of the House in so referring it that on the Committee the interests of all the localities concerned should be represented. But, so far as Wales is concerned, that intention has not been carried out. The interests of Birmingham are well represented by an hon. Member whose name is on the back of the Bill (Mr. Powell Williams), and by the hon. Member for Wednesbury (Mr. P. Stanhope), whose constituents are more or less directly concerned, while there is on the Committee a representative of the interests of London. But there is not a single Member who can be regarded as in any way representing the interests of the Radnor district or of Wales. I know that the House is jealous of interference with the work of Committees upstairs, but I would point out that we raise no question up-

the subject-matter of the Bill; the Motion has reference only to the constitution of the Committee, and, so far as I can gather, opposition to our Motion comes solely and entirely from those who are promoting the passage of the Bill. The Motion would, I believe, meet with general acceptance on both sides of the House but for the opposition of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain). Now from what I understand, the intention is in the appointment of these Committees that the Committee of Selection shall appoint Members who are beyond all question impartial, and that the other Members should be appointed by the House as representing the different interests and localities with which the Bill deals, men who are more or less specialists in regard to the particular Bill. By way of illustration, I may perhaps be allowed to mention that a short time ago a Hybrid Committee was appointed to consider the Belfast Corporation Bill, and upon that Committee opposing interests were amply represented in the persons of Mr. Sexton and Mr. Knox, Mr. T. W. Russell and Sir Edward Harland. Now, I do not know on what the right hon. Gentlemen the Member for West Birmingham bases his objection. Possibly he may say the Committee has been sitting for some days and has taken evidence. But that is not our fault. But for his objection the two Members would have been added long ago. A Hybrid Committee in its rules of procedure differs materially from an ordinary Select Committee to which Private Bills are submitted. On an ordinary Committee hon. Members have to be present from the outset and to sit the whole time, but in the case of a Committee such as this, Members come and go as they please. More than this, I may say the evidence given so far has been to show the need of Birmingham for a better water supply, with which point we do not wish to deal, while we do wish to have on the Committee some Member who knows something about this area of 70 square miles affected by the Bill, and the interests of the people within that area.

Motion made, and Question proposed,

"That the number of Members on the Select Committee be increased from nine to eleven, and that Mr. Thomas Ellis and one Member to be nominated by the Committee of Selection be added to the Committee." — (*Mr. D. Thomas.*)

(3.15.) MR. J. CHAMBERLAIN: I think the hon. Gentleman who has just sat down does not understand my position in this matter. He seems to think I am opposed to the representation of Wales on the Committee; but I can assure him that is an entire mistake as I think I could show if I were to mention what has passed in private between myself and Welsh Members on this subject. But I do object very much to the Resolution, both the manner in which it is proposed, and the time at which it is moved. Will the House allow me to quote very briefly the facts of the case? This Bill is promoted by the Birmingham Corporation, and in an ordinary way would have been referred to the usual Select Committee. The Welsh Members desired a special Hybrid Committee, and the Corporation willingly consented to the demand. Accordingly, at the instigation of the Welsh Members, in order to satisfy the Welsh Members, a Hybrid Committee was appointed and constituted, according to the Resolution moved, of five Members nominated by the House, and four by the Committee of Selection. Now with the selection made of the Committee I, of course, have nothing to do, but as regards the nominations by the House, I say it was the business of the Welsh Members if they wanted the appointment of a particular Member, to make the representation usual in such cases to secure his nomination. If the hon. Member for Merionethshire (Mr. T. Ellis) had been nominated, though he may be regarded as a strong partisan, he having moved the rejection of the Bill, still I would not have thought it my duty to make the slightest objection, and, indeed, I should be glad if he attended the meetings of the Committee, that he might see how groundless are some of the points of opposition he took. But hon. Members did not take that course. Not only did they fix the number of the Committee by Resolution, but when

the nominations were moved in the House they moved no Amendment—they made no objection to any of the names, or expressed any desire to substitute a name as we might have supposed they would have done if they had cared for the matter. This is an entire afterthought. I think the hon. Members are entirely out of court; the time for their action was when the Committee was being appointed, and is not now after the Committee has been appointed, has sat some days, and has taken evidence. Although I think that is really a sufficient ground for objection, and although I think this Motion now is extremely unusual, if not unprecedented, still if there is any strong feeling on the part of Welsh Members that they are not represented on the Committee as they desire to be, I make now the same offer in public I have already made in private, if they consider there should be an addition to the Committee, and if the Chairman of the Committee takes no exception—for really I think he is the person who ought to be consulted—if he makes no objection to the addition, I will not object provided I am allowed to nominate a Member to equalise the votes. That I think is perfectly fair. It is a monstrous proposition that Welsh Members should be allowed to pack this Committee by adding two gentlemen pledged and known beforehand to be hostile to the principle of the Bill. It is an extremely unfair and unreasonable proposition—

*MR. D. THOMAS: May I explain that we have no desire to pack the Committee? We propose that only one Member shall be nominated by us, and the other by the Committee of Selection.

MR. J. CHAMBERLAIN: That is all very well, but what is the meaning of the second proposal of the hon. Gentleman?

*MR. D. THOMAS: The second Motion was put down to meet the wishes of the right hon. Gentleman.

MR. J. CHAMBERLAIN: I am very sorry there should be any misunderstanding as to my wishes, but the hon. Gentleman does not flatter me very much in supposing that I should accept these as impartial nominations. He gives me credit for little intelligence if

he thinks I could accept such a proposition. But we have now only to discuss the question of the nomination of the hon. Member for Merionethshire, and a nomination by the Committee of Selection. That is a Motion for the appointment of a gentleman who undoubtedly is a partisan. I do not use the word in any invidious sense; he has pledged himself against the Bill. Then another gentleman is to be appointed by the Committee of Selection who is to be a thoroughly impartial person. Well, I say that is not a fair proposition. If hon. Gentleman desire to appoint a partisan then at least there should be another appointed from the other side. Welsh Members have really a small interest in the Bill, and I am sure their constituents will be very dissatisfied if the Bill is lost in consequence of the action of their Representatives. One other objection I have and that is on the point of time when this Motion is made. The hon. Member says the delay is due to me, but that is not so at all. It is due in the first place to Welsh Members not making up their minds until some time after the Committee had been appointed, until it had actually met and received evidence. The first proposition was not made until the Committee had held two meetings, and the proposition had to stand over because it was out of order, and as you, Sir, ruled, it was a question not as between Welsh Members and myself, but as between Welsh Members and the House. Three of the Corporation witnesses have been examined and under the circumstances I think it would be extremely inconvenient to have new Members now added to the Committee. At all events unless the Members for Wales are willing to accept the suggestion I have made with a view to balance and harmony in the composition of the Committee that I should be allowed to select another Member after their nomination, I shall certainly oppose this Motion.

*(3.24.) MR. OSBORNE MORGAN (Denbighshire, E.): The right hon. Gentleman says the interest of Welsh Members in the Bill is small, but I should have thought that if there was one part of the United Kingdom which ought to be represented on such a Committee it would be the locality from

Mr. J. Chamberlain

which the water is proposed to be taken. The right hon. Gentleman has raised two objections. First, he says this Motion comes too late, but surely there he is hypercritical. His objection is a merely technical one. Besides, the right hon. Gentleman says that it is a partisan who is now nominated, but that is an objection that may be urged against any appointment to a Hybrid Committee of this kind. Birmingham is represented on the Committee by two partisan Members.

MR. J. CHAMBERLAIN : No ; the hon. Member for Wednesbury does not represent Birmingham.

*MR. OSBORNE MORGAN : Well, all that is asked is that the Member representing Birmingham (Mr. Powell Williams) should be balanced by a Member representing the district in Wales from which the water is proposed to be taken, the hon. Member for Merionethshire with another Member not necessarily a partisan. The hon. Member for Denbigh (Mr. Kenyon), whose name is mentioned in the second Motion, has no interest in the matter any more than I have. It seems to me the objection taken by the right hon. Gentleman is quite unworthy of him, and if he has any desire to cultivate the goodwill of Welshmen, in whom he has lately taken a special interest, he should be the last man to take objection to this nomination. If my hon. Friend goes to a Division I shall certainly support him.

*(3.25.) MR. STUART RENDEL (Montgomeryshire) : I regret that the right hon. Gentleman (Mr. J. Chamberlain) should have laid stress on the partisan argument. It is difficult not to feel that the right hon. Gentleman himself occupies a partisan position, and he has enormous power and advantage therein. The partisanship of the Welsh Members simply goes so far as the desire that the locality which is undoubtedly greatly affected by the Bill should have representation on the Committee, and that claim is, I think, founded on fairness and justice. The charge of packing the Committee does not apply to the present Motion ; it would be more reasonably applied to the right hon. Gentleman himself, who desires that the House should place in his hands the right to nominate a Mem-

ber. If the expression can be applied at all fairly it applies to such a proposition as that. I can assure the House that we have no intention of packing the Committee, nor do we desire to introduce the Welsh question more than is necessary. We rest our case on the fact that a large district in the Principality is affected by the Bill, and that local interest should have direct representation on the Committee. The actual Member for the constituency in which the district is included is precluded from taking any active part in the proceedings because he is the son of a petitioner. The right hon. Gentleman says we should have made our proposal before the Committee met, and that we ought to have made our objection to the nominations by the Committee of Selection.

MR. J. CHAMBERLAIN : No ; I said the proper course would have been to have made a representation in the usual way, and then the proper course would have been to have proposed an Amendment when the names were moved in the House.

*MR. STUART RENDEL : I do not know whether it would be in Order to refer to the course Welsh Members did take privately. In the sense indicated they did take steps they thought were right.

MR. J. CHAMBERLAIN : There should have been a nomination in the House.

*MR. STUART RENDEL : It is for us now to consider how the Committee is constituted. That is the question raised by my hon. Friend's Motion. Birmingham is directly represented twice over. Wednesbury is interested in the Bill. That town comes within the scope and purpose of the Bill, and thus two Members directly represent the interest of the promoters of the Bill. The right hon. Gentleman says he does not know what the opinion of the Chairman of the Committee is ; but I have authority for saying that his personal opinion—I do not say the opinion of the Committee, which has not been ascertained or expressed—has all along been that it would be much better if a Welsh Member or two were appointed, and the Committee would be strengthened in its inquiry thereby. I hope we may come to an agreement with the right hon. Gentleman. I did my

utmost to discountenance the cry of Welsh water for Wales when started in opposition to the Bill, and I asserted that any attempt to create a prejudice in the Principality against the withdrawal of water from Wales to meet the necessities of large populations in England would not find support from responsible Representatives of Wales. We are not here in a partisan position, but if it should happen that so large and important a scheme should be sanctioned by a Committee, upon which no representation of the area concerned had a place, there would be an unfortunate disposition to cavil at the decision of the Committee, which it is most undesirable to create.

(3.34.) THE CHAIRMAN OF WAYS AND MEANS (Mr. COURTNEY, Cornwall, Bodmin): I confess I regretted to find that no Welsh Member was appointed to this Committee, but I agree with the right hon. Gentleman the Member for West Birmingham that hon. Members who desired that representation should have taken action when they saw the names upon the Paper, they should have proposed the substitution of a name for one of those agreed to. It is now proposed to add two more Members, but that, I think, is a most undesirable course to take. The more Members you add to a Committee the less responsibility there is on each individual Member. A Hybrid Committee has some advantages, but it has also this disadvantage—that there is not upon each Member that sense of responsibility in forming a judgment that there is on each Member of a Committee of four. I think it is extremely undesirable to add more Members and to alter the balance of the nominations by the Committee of Selection. But is it too late now to adopt the course which should have been taken in the first place? Is it possible to secure the services of the hon. Member for Merionethshire in substitution of some other Member? It has been said that the interest of the promoters is represented by two Members, the hon. Member for Birmingham (Mr. Powell Williams) and the hon. Member for Wednesbury (Mr. P. Stanhope).

MR. D. THOMAS: That substitution has been refused.

Mr. Stuart Rendel

MR. COURTNEY: Well, it is not quite clear. I do not know whether the hon. Member for Wednesbury clings to the honour of appointment to the Committee. If he could be induced to retire then the difficulty would be at an end.

MR. P. STANHOPE (Wednesbury): I do not represent Birmingham. There are other interests than those of Birmingham it is desirable to have represented on the Committee. I am not aware that any argument has been brought forward why those other interests should not be represented. I feel bound to say, having regard to my colleagues on the Committee upstairs, that every possible interest of the Welsh people in the district affected by the scheme will be carefully considered and safeguarded by the existing Committee.

MR. COURTNEY: Well, then, I fear that my efforts at an arrangement will be unavailing. I do, however, strongly object to an addition to the number of Members on the Committee, and think there are serious reasons against it.

(3.38.) SIR H. HUSSEY VIVIAN (Swansea, District): I am surprised that the right hon. Gentleman the Member for West Birmingham should appear to think that Wales has a very small interest in this matter. I took occasion to address a few words to the House when this question was first considered, and I pointed out that this is a matter of vast importance to Wales, having in view the vast populations springing up who will look to the watershed of the Bristol Channel as their source of supply. I look forward with great dread to this abstraction of water from the watershed of the Bristol Channel. If the Birmingham Corporation wants another source of water supply, let them seek it where they will not infringe on the natural claims of another large population. I altogether take exception to the statement that Wales has a small interest in this matter. We have a very large and increasing interest in this water supply, and hereafter it will be of vast importance to our population. It cannot be denied that Wales has a right to representation on this Committee. I am sure the House desires to do justice in a matter of this kind

and will not be bound by what I must say is a technical objection on the part of the Chairman of Ways and Means. It may not be, in the ordinary course of business, quite regular to make the addition to the Committee now, but I cannot doubt that the House will recognise the justice of the demand that Wales should have representation on the Committee. This is not what the right hon. Member for Birmingham calls it—a monstrous proposition—it is simply a claim founded on justice. Whether the proposition should have been made earlier or not is a purely technical point I will not discuss. If there has been some lapse, some fault committed, I do not think we should therefore do an injustice when there is means open to avoid it. When we are to have 70,000 acres of watershed taken from Wales, can it be said that Wales, is not interested in the matter? No; I am quite sure that cannot be said. The wants of Welsh populations must be safeguarded, and in the most earnest manner I ask the House to grant our request that a Welsh Member may be added to this Committee. I do not know that I should be saying too much if I characterised the suggestion of my right hon. Friend the Member for West Birmingham as a monstrous proposition that he should be allowed to nominate another Member of the Committee to balance the Member we desire the House to add. I do not know that in all my Parliamentary experience I ever heard an individual Member make such a claim, and I must protest against such an altogether new departure in our practice. This Hybrid Committee was resolved upon in order that all interests might be fairly represented. We have on the Committee a direct Representative of Birmingham, and another Member representing a constituency jointly interested with Birmingham in obtaining the water supply, and we have London represented. Why? Because London also sets up a claim to abstract water from Wales, a claim which I do most strongly protest against. Let them go where they will for their water supply, but not to the Bristol Channel watershed, which we want for our own population. We shall have in the

future all we can do to meet the needs of the rapidly increasing population of Glamorganshire, and I say “Hands off the Bristol Channel watershed.” Indeed it will become a very serious matter. We may not live to meet the difficulty, but those who come after us will be astonished to think that we deliberately sacrificed the water supply we had at hand.

(3.45.) SIR J. PULESTON (Devonport): I supported the Motion for a Hybrid Committee because I thought that every interest ought to be represented on that Committee; but this cannot be said to be done when a large interest in the Principality is not directly represented on the Committee. I think it is hardly fair for the right hon. Gentleman to object to the nomination of the hon. Member for Merionethshire because he is a partisan, seeing that the hon. Member's Motion had support from both sides of the House. I quite supposed that the hon. Member for Nottingham (Mr. A. Morley) would have included the name of the hon. Member for Merionethshire or that of some other Welsh Member in the nominations for the Committee, and it was with considerable surprise I found the hon. Member's name was not included. I have received some seven or eight letters from the Principality commenting on the fact, and I thought it a little strange that the name of the hon. Member was not moved in the House. I hope the proposal to add two Members now will be accepted, and I do not think there ought to be great objection to that as a compromise. In the interest of a full inquiry I think there ought to be this representation on the Committee.

(3.47.) MR. A. J. WILLIAMS (Glamorgan, S.): I do hope the House will deal with this question in a spirit of fairness and common sense, uninfluenced by any technical objection. What does it matter that through some inadvertence Wales has not had a Representative appointed on this Hybrid Committee? Here we have a remedy at hand for this inadvertence. Two important admissions have been made which go to support the Motion. My hon. Friend (Mr. Stuart Rendel) has told us that the Chairman of the Committee has expressly stated that it is

desirable that a Welsh Member should be upon this Committee; and I think it must be obvious, upon a question like this, affecting a large area and future water supply for Wales, that a Welshman should be there not as a partisan. I repudiate the idea that a Member who is appointed to a Committee goes to his duties as merely a servile partisan, and I am perfectly sure that my hon. Friend the Member for Merionethshire would render the greatest assistance to the inquiry as a local expert. We have had also the admission from the Chairman of Committees (Mr. Courtney) that he thinks it is desirable that Wales should have representation on the Committee; but he is trammelled by the technical objection that it is undesirable, after the Committee has been struck, that we should make additions to it. But I cannot see how the convenience of the Committee can be detrimentally affected. Even the right hon. Gentleman the Member for West Birmingham has no valid objection outside his special pleading and technical ground. I hope the House will not for a moment entertain the idea that the right hon. Gentleman should nominate another Member. I appeal to the House to deal with this matter as a question of common sense and fairness, to disregard the special pleading of the right hon. Gentleman, and to rectify an error which at the outset was committed in the nominations.

(3.50.) Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): I can appreciate the reasons which induce the desire to have Wales represented on the Committee, but I cannot understand why this proposal was not made earlier. The right hon. Gentleman the Member for West Birmingham has had no answer to that. Now, two propositions have been made to my hon. Friends, both fair ones; one that a Welsh Member should be substituted for a sitting Member, and the other that in addition to the hon. Member for Merionethshire, the Birmingham Corporation should have another nomination to preserve the balance. Now, although it has been said that my hon. Friend would not enter upon his duties on the Committee as a partisan, we are

perfectly well aware, and I am not blaming him for taking the course he thought right, that my hon. Friend has expressed an opinion against the Bill in the strongest possible way, by moving the rejection of the Bill when it was before the House. In that sense, therefore, he must be considered a partisan, and it is only right that if he becomes a Member of the Committee another Member in the interest of the promoters should be added. Why the proper opportunity was not taken to add a Welsh Member to the Committee I do not understand, but I am bound to say the proposal being made now cuts at the whole system of appointment of Hybrid Committees, and I must vote against the Motion.

(3.53.) Mr. LABOUCHERE (Northampton): As I understand, the reason why hon. Members for Wales did not move the appointment in the first instance was because they were under the impression that the Committee of Selection would secure the representation of all interests, and so they did not occupy the time of the House with any Motion on the subject. It has been urged that if a partisan Member is added from the one side then a partisan should be added from the other side. But is it not the fact that there are at this moment two Birmingham partisans on the Committee? In the first place there is the hon. Member who represents South Birmingham (Mr. Powell Williams), whose name is on the back of the Bill. That he is a partisan must be admitted. Then there is my hon. Friend the Member for Wednesbury (Mr. P. Stanhope). My hon. Friend claims that he is not a partisan for Birmingham; but let me explain what is the position of Wednesbury in regard to this Bill. By this Bill Wednesbury will have an option to take or not to take from this water which is to be brought from Wales to Birmingham. Of course, any community would be in favour of getting such an option for nothing, and my hon. Friend's constituents will naturally expect my hon. Friend to vote in favour of this scheme. I confess I was surprised at the conclusion of the speech of the Chairman of Committees. It seemed to me he began by being strongly in

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favour of Welsh representation on the Committee, but he is going to vote against a Welsh Member being appointed because he says it is too late to make the addition.

MR. COURTNEY: That was not my substantial reason.

MR. LABOUCHERE: The right hon. Gentleman gave no substantial reason; that is what I complain of.

MR. COURTNEY: I objected to the addition of partisan Members in undue proportion.

MR. LABOUCHERE: Then I hope the right hon. Gentleman will vote in favour of this proposition, for he will observe there are two partisan Members in the interest of the promoters of the Bill on the Committee. All that is demanded is that a Member representing Welsh interests shall be appointed—a gentleman competent to look after the interests of the people in the district from which the water is to be taken. After all, though my hon. Friend from his knowledge of the subject may have an advantage over other Members on the Committee, he will only have one vote, and there will be always two against him. I really think that in this matter we should not allow technicalities to hinder us from what seems to me an act of justice to this Welsh district.

(3.57) MR. JESSE COLLINGS (Birmingham, Bordesley): I think rather poor excuses have been offered for Welsh Members not making this Motion earlier. There was the opportunity when the Motion for nomination was before the House, and the substitution of one name for another could have been moved as an Amendment. The hon. Member for Wednesbury cannot be considered a partisan in favour of the Bill. The interests of Wednesbury are to a large extent distinct from and opposed to the interests of Birmingham; there is the interest of a large Water Company established. The partisanship unexpressed of the hon. Member for Wednesbury would not be a counterbalance to the hon. Member for Merionethshire, who throughout expressed his opposition to the Bill. It seems to me this proposal should have been made at the right time when the Committee was being formed. To make such an addition now will be to intro-

duce a most undesirable innovation in connection with the formation of Hybrid Committees. Moreover, the Committee has been sitting three days, and most important evidence has been given on behalf of the Corporation. It would be scarcely fair that an avowed opponent of the Bill should have a voice in the decision, he not having heard the strongest evidence in support of the Bill. Two fair proposals have been made to Welsh Members; one fails through the unwillingness of the hon. Member for Wednesbury to withdraw from the Committee; but the other still remains open—the proposal that with the nomination of the hon. Member for Merionethshire my right hon. Friend should have a nomination on behalf of the Corporation. The hon. Member for Glamorganshire admitted frankly that if a Welsh Member were put on the Committee he should be what the hon. Member called “balanced” in some way. This question is being argued as if Wales had a predominant interest in this matter. On precisely the same grounds all the counties from which the water supply comes should also be represented on the Committee. The hon. Member for Wednesbury (Mr. P. Stanhope) has declared that ample provision was made when the Hybrid Committee was appointed. We thought that provision would satisfy everyone; it satisfied the hon. Member opposite so that he withdrew all opposition. That provision was that all interests—Welsh as well as every other—should be fully represented before the Committee, and it was thought at that time that the promoters had given every advantage to the opponents of the Bill. But after evidence has been taken for three or four days before the Committee this extraordinary proposal is made. Wales, instead of being a sufferer by the works contemplated in the Bill, will be the greatest possible gainer, and the Welsh people all round the neighbourhood know that. I hope the House will remember that there is the interest of half a million of people to be considered who are threatened, at no very distant future, with a water famine, to prevent which this Bill has been brought forward. Every possible concession has been made to the

opponents of the Bill, Every concession which we thought would conciliate them, and now we have this innovation, unprecedented in relation to Parliamentary Committees.

MR. STOREY (Sunderland): I think it cannot be denied that this is an innovation, as my hon. Friend says. What are the facts? There is a conflict of advantage between Birmingham and Wales, or apparently so, and it is contended that Birmingham has one or two Members on the Committee who are likely to put the case as strongly as possible for Birmingham, and bring out all the facts in its favour. My hon. Friend below me asks that there should also be on the Committee one gentleman who will be so keenly interested that he will take special trouble to bring out the special facts advantageous to the district of Wales specially concerned. That seems a very reasonable suggestion, and one which the House might accept. I think there will be no objection to that, though some objection has been taken to naming a Member on the other side. I should be willing for any Member of the House—the right hon. Member for West Birmingham (Mr. J. Chamberlain), or another—to nominate a Member whom they think would be a desirable Member of the Committee. If that would meet the objection that has been taken, and prevent the House further considering this matter, I may say, I think it would be satisfactory to the hon. Members concerned.

MR. STUART RENDEL (Montgomeryshire): I understand that the hon. Member for Gateshead (Mr. W. James) is willing to allow his name to be withdrawn from the Committee for the purpose of allowing that of the hon. Member for Merioneth (Mr. T. E. Ellis) to be added. I move that the hon. Member for Gateshead be discharged from the Committee, and that the hon. Member for Merioneth—

*MR. SPEAKER: The hon. Member cannot move that now; he must give notice of the Motion.

MR. W. JAMES (Gateshead): I should be glad to be relieved from my

Mr. Jesse Collings

duties on the Committee, as I have many other engagements; but I accepted nomination, as I understood that the Chairman desired that I should serve.

MR. J. CHAMBERLAIN: I should make no objection to that arrangement if it meets the approval of the House.

DR. CAMERON (Glasgow, College): The hon. Member for Gateshead was nominated by the Committee of Selection, and can only be displaced by the Committee of Selection. The principle which regulates the action of the Committee of Selection is that while the House puts on partisans, the Committee of Selection puts on impartial and judicial men. It would be utterly impossible for a compact of the House to bind the Committee of Selection. If anything of that kind is to be done it would be necessary that the nomination should be by the House direct, and the Committee of Selection should be relieved from the necessity of filling up the place vacated by the hon. Member for Gateshead.

*MR. D. THOMAS (Merthyr Tydvil): If I could have any guarantee that the Committee would nominate the hon. Member for Merioneth in the place of the hon. Member for Gateshead, I would have no objection to withdrawing my Motion; but as there is no such guarantee forthcoming I must press the Motion to a Division.

Question put.

The House divided:—Ayes 120; Noes 150—(Div. List No. 65.)

*MR. D. THOMAS: I beg to give notice that I shall to-morrow move that the hon. Member for Gateshead be discharged from serving on the Committee, and that the hon. Member for South Glamorgan be nominated in his stead.

*MR. SPEAKER: I look with extreme jealousy on the House interfering with the Committee of Selection by discharging a Member who has been appointed by that Committee. That Committee is specially deputed by the House to make choice of Members to serve; but perhaps an amicable arrangement can be come to between the House and the Committee of Selection.

QUESTIONS.

THE WEARING OF EMBLEMS IN
THE ARMY.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the Secretary of State for War whether he has yet satisfied himself of the existence of a custom in the Northumberland Fusiliers of parading on St. George's Day, in uniform wearing, by order of the Colonel, a red and a white rose in his buttonhole, and that Irish, Scotch, and Englishmen are obliged to comply with this order under penalty for disobedience; and whether he will either prohibit the wearing of all national and Party emblems, or allow members of all nationalities to wear their respective favours on national occasions, subject to a General Order to the contrary, and for special reasons, at the discretion of the Commanding Officer?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Lincoln): The red and white rose, which the hon. Member will see by the *Army List*, is one of the badges of the Northumberland Fusiliers, and I find it has been the custom since 1675 for the members of the regiment to wear them on St. George's Day. The custom has no political bearing, and the Commander-in-Chief sees no reason for giving the order indicated in the other part of the question.

MR. P. O'BRIEN: May I ask if the hon. Gentleman thinks the shamrock has any political bearing, and does he see any reason why Irishmen should not be allowed to wear it in the same manner as the regiment referred to?

MR. E. STANHOPE: I see no reason why permission is given by the Commanding Officer.

MR. MAC NEILL (Donegal, S.): Is the Commanding Officer or the Adjutant-General to wear the shamrock on St. Patrick's Day?

MR. E. STANHOPE: I do not know.

MR. P. O'BRIEN: I beg to give notice that on the Army Estimates I will call attention to this matter.

ACCESS TO STATE PAPERS.

MR. P. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Mr. Fitzpatrick, author of the recently published work, *The Secret Service Fund under Pitt*, had access to the State Papers in Dublin Castle; and whether there is any objection to allow Mr. Fitzpatrick to pursue his investigations, in order to give the history of the Secret Service Fund up to 1886?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): It is the case that the gentleman mentioned had access to certain State Papers under the Regulations of the State Paper Department, whereby historians are granted permission to refer to certain records with the permission of the Keeper of the State Papers. This permission is limited to records of the age of 50 years from the making thereof, and it would therefore not be possible to give the permission suggested in the second paragraph of the question.

MR. MAC NEILL: Are regulations given to the Castle officials for the preservation of State Papers?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): They are kept under the Records Act of 1877.

MR. P. O'BRIEN: If permission is limited to Papers 50 years old, how is it possible to get particulars of the administration of the Fund under the right hon. Member for Derby (Sir W. V. Harcourt)?

MR. MADDEN: I must ask the hon. Gentleman to postpone the question for 50 years.

TARGET FIRING AT SEA.

MR. SEXTON (Belfast, W.) (for Mr. FLYNN, Cork, N.): I beg to ask the Secretary of State for War, in reference to the Military Lands Consolidation Bill, whether he is aware that the Cork Harbour Commissioners have made frequent complaints to the commanding officer of Cork district of the danger caused to navigation in and off Cork Harbour by the practice of target firing from Forts Camden and Carlisle; and is he aware that complaints of the danger incurred from this practice have frequently been made by yachtsmen

and masters of vessels using Cork Harbour; and, if so, whether any special provisions will be introduced by the War Department in the Bill to prevent injury being done to the trade and other interests of Cork Harbour?

SIR E. BIRKBECK (Norfolk, E.): I beg to ask the Secretary of State for War whether he is aware that Section 15 of the Military Lands Consolidation Bill raises questions of great importance to fishermen, coasting traders, and others, and that their grievances are being investigated by the Committee recently appointed to report on target practice seawards; and whether he will, under the circumstances, postpone the appointment of the Select Committee until he receives the Report of the Target Practice Seawards Committee?

*MR. E. STANHOPE: In answer to the hon. Member opposite, I would say that is a subject which will be fully considered by the Committee on Target Practice Seawards, and I would rather express no opinion on the subject till that Committee reports. In answer to my hon. Friend behind me, I am not aware how soon it is probable that the Committee on Target Practice Seawards will be able to report; but I am quite willing to postpone the Military Lands Consolidation Bill for a reasonable time, so long as we do not run the risk of losing it for the Session, as it is desirable in the public interest that the law should be made clear. Section 15 makes no change in the existing law, and in no way prejudices the inquiry upon which he is engaged.

SIR E. BIRKBECK: Is the right hon. Gentleman aware that under Clause 15 questions are raised affecting the coasting trade and fishing industry?

*MR. E. STANHOPE: That is one of the subjects referred to the Committee.

MR. J. O'CONNOR (Tipperary, S.): Will the right hon. Gentleman say who compose the Committee, where it sits, and whether they will examine witnesses whom hon. Members of this House may think desirable?

*MR. E. STANHOPE: The Committee was appointed by my right hon. Friend the President of the Board of Trade, and I cannot at once give the

names of all the Members. I imagine the places where they sit are suggested by the Committee themselves.

MAJOR BANES (West Ham, S. Major RASCH, Essex, S.E.): I ask the Secretary of State for whether he will give the Essex fishermen facilities for giving evidence to the Target Practice Seawards Committee, as their trade will be seriously affected by the proposed partial closing of the fishing grounds off Sheerness.

MR. E. STANHOPE: This is a matter for the Committee itself to decide; but I have no doubt the case of all fishermen said to be affected by acts of this description will be considered by them.

A MISSING POST PARCEL

MR. P. O'BRIEN: I beg to ask the Postmaster General whether he is aware that a registered letter and a registered parcel, posted at Huddersfield, Torkard, Notts, in December last, addressed to Mdlle. De Saint Roche Vilaine, Morbihan, France, have gone astray; and whether there is any expectation of recovering them, and, if not, will the owner be compensated?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.): The case of the parcel is under investigation. The correspondent in the case makes no mention of a registered letter.

MR. J. H. PAYNE'S ESTATE, BALLINHASSIG, COUNTY CORK.

MR. SEXTON (for Mr. FLYNN): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether attention has been called to the case of the tenants recently evicted from the estate of Mr. J. H. Payne, J.P., Ballinhassig, County Cork; and if so, what number of years' purchase of the valuation was sanctioned by the Land Purchase Commission; and whether many tenants have been evicted by the Land Purchase Commission since the purchase of the estate was sanctioned, and is he aware that the farm of the purchasing tenants was put up for sale in March, 1891, by the Land Purchase Commission, but that no one was found to purchase the tenant's interest?

Mr. Sexton

and, if so, what steps do the Purchase Commission intend to take?

MR. MADDEN (who replied) said: The Irish Land Commission report that they are not aware of any evictions on the estate of Mr. J. H. Payne; but the question probably refers to the case of a tenant-purchaser named Daniel Kelly. This tenant held under a judicial rent of £30. His purchase money was £500, or about 17 years' purchase of the judicial rent, and the annuity payable in respect thereof was £20—*i.e.*, a reduction of 33 per cent. as compared with the judicial rent he had previously to pay. This holding was put up for sale by the Commissioners on the 4th March, 1891, the tenant purchaser being in default for two instalments. There being no bidding the sale was adjourned; but in the following July the holding was sold for an amount sufficient to pay the arrears and expenses and subject to the annuity, which has since been regularly paid.

STOPPED MONEY ORDERS.

MR. COX (Clare, E.): I beg to ask the Postmaster General whether he is aware that several Post Office orders, amounting in all to £85, were issued in London in the year 1886 in favour of a Mr. W. J. Paine, on Auckland Post Office, New Zealand; that inquiry was made there by Mr. Alexander Cairns, to whom the orders were handed by the payee, to know if he would be safe in cashing same, and he was informed that they were "as safe as the Bank of England," but could not be cashed by him (the postmaster) before receipt of the advice note; and that in the meantime the funds deposited in the London Post Office were withdrawn by the depositor; whether he is aware that Mr. Cairns lost the money which he had advanced on the faith of the Post Office orders issued here; and whether it is the practice to refund to the depositor on application, and without production of the Post Office order issued, the money so deposited?

SIR J. FERGUSSON: The case referred to in the question is well-known to the Post Office, a question on it having been answered by my predecessor in 1890. The facts are these: A young man had been sent abroad by

his relations with £100 in £5 money orders, most of which, however, for reasons of their own, the relations took the precaution of stopping. On his arrival at Auckland the young man had information that all the orders but one were stopped and repaid to the remitter, and that he would receive remittances for subsistence. He went to Mr. Cairns's Hotel and lived luxuriously, giving 17 stopped money orders to Mr. Cairns, who does not seem to have been very careful in the matter, or he would have tested the validity of the orders before much harm was done. The official papers do not indicate that Mr. Cairns was told at Auckland the orders were "as safe as the Bank of England;" and, as a matter of fact, a money order is not a negotiable security, the remitters in all cases having legal power to control the funds until such time as the orders are paid. It is not known that Mr. Cairns cashed any of the orders, or whether he eventually recovered any advance he may have made, or the cost of the young man's maintenance. It is not customary to repay to a remitter without production of the orders, because such production is usually the best proof of the right to repayment. But in the case in point, the remitter was well-known at the Money Order Office to have deposited the funds, and the stopped money orders were not required in proof.

THE REGISTRATION OF CHIMNEY SWEEPERS.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the Secretary of State for the Home Department whether any general record is kept at the Home Office of chimney sweepers in England who, by reason of employing "journeymen assistants or apprentices," are compelled to take out annual certificates under the provisions of 38 & 39 Vic., c. 70; if so, whether he can state the number of such certificated chimney sweepers, and what proportion that number bears to the total number of chimney sweepers in England who, by reason of not employing "journeymen assistants or apprentices," are not required to take out certificates; whether the police authorities have any statutory power to refuse to grant or renew certificates to

applicants who have been convicted of burglary, robbery, or theft; and whether he is aware that the United Chimney Sweeps' Protection Association strongly complain that persons convicted of burglary, robbery, or theft are allowed to pursue the trade or business of chimney sweeper?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No general record of chimney sweepers who have to take out annual certificates is kept at the Home Office. The registers of certificates are, by the 14th section of the Chimney Sweepers' Act of 1875, required to be kept by chief officers of police. The register for the Metropolitan Police district is kept by the Commissioner of the Metropolitan Police, and shows that 190 chimney sweepers hold certificates, and that they employ 239 journeymen. In London the number of unregistered chimney sweepers is stated to be 984. The Home Office has no information as to the number of registered or unregistered chimney sweepers outside the Metropolis. It does not appear that the Act of 1875 enables police authorities to refuse to grant or renew certificates to any chimney sweeper who applies in proper form, pays the statutory fee, and has not been disqualified by a conviction under the Acts of 1840 and 1864, which were passed for the protection of young persons employed by chimney sweepers rather than of householders by whom chimney sweepers are employed. The complaint referred to in the third paragraph of the question has not been communicated either to the Commissioner of Police or the Home Office.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887.

MR. MACARTNEY (Antrim, S.): I beg, Sir, to postpone my question.

MR. MAC NEILL: Why? [Cries of "Put the Question!"]

MR. MACARTNEY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the number of persons now in prison in Ireland for offences under "The Criminal Law and Procedure (Ireland) Act, 1887," and also the number of persons in Ireland who are

at the present time wholly or partially boycotted?

MR. JACKSON: On the 1st inst. there were five persons in custody under the Criminal Law and Procedure (Ireland) Act, 1887. They were convicted of riot and unlawful assembly. There are no persons either wholly or partially boycotted in Ireland at the present time.

MR. SEXTON: I beg to ask, Sir, if the administration of the Act has been going on, if it has been left inoperative because it was proved to be useless for its main purpose — that of securing tenants for evicted farms?

MR. MADDEN: No, Sir.

MR. W. O'BRIEN (Cork Co., N.E.): Will the right hon. Gentleman name any single struggle with reference to which prosecutions were instituted under this Act which are not at present going on just as before, or have not notoriously concluded as victories for the tenants?

MR. MADDEN: I cannot argue the matter by way of answers to questions across the floor of the House. But in reply to the question of the hon. Member for Belfast as to whether this represents the usefulness or the uselessness of this Bill, I say unhesitatingly that it represents its usefulness.

MR. MAC NEILL: I should like to ask, Sir, if these figures have been specially prepared with a view to the General Election?

[No answer was given.]

THE IRISH LAND COMMISSION OFFICE.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that there are at present upwards of 50 temporary clerks in the Irish Land Commission Office without Civil Service certificates, contrary to the Order in Council; whether it is contemplated to create these uncertificated clerks permanent clerks without any examination; why are not vacancies in the office of the Irish Land Commission filled from the Lower Division of the Civil Service; and why are not these clerkships thrown open to public competition, according to the practice adopted in filling up vacancies in clerk-

Sir J. Colomb

ships in the High Court of Justice in Ireland?

MR. JACKSON: In addition to the permanent staff there are at present temporarily employed in the Land Commission one Second Division clerk, 19 registered copyists, and 25 temporary clerks; the latter were employed when the services of the other registered copyists were not available. It is not proposed to make any of the uncertificated temporary clerks referred to permanent officers. It is understood that the Treasury do not propose to recruit the clerical staff of the Irish Land Commission in future from the Second Division of the Civil Service. Section 45 of the Act of 1881, and Section 20 of the Act of 1885, which regulate appointments to the Land Commission, are still in force as regards appointments to the general permanent staff, and when clerks for temporary purposes are required applications will be made in the first instance to the Civil Service Commissioners for registered copyists.

THE CASE OF MR. CLEARY.

MR. MAC NEILL: I beg to ask the Postmaster General whether he is aware that Mr. Cleary, the official in the Post Office, Dublin, who committed suicide under distressing circumstances, has left a widow and nine children almost destitute; whether, after working for upwards of a year from twelve to fourteen hours a day, he made application to the Post Office authorities for payment for extra hours, which he estimated at a sum of £54, but that no money on account of this claim was paid to him; whether during his 20 years' service in the postal department there had been any record against him till after his application for payment for extra hours; whether Cleary, having worked for many years as sorter in the American mail train between Dublin and Queenstown, was offered an indoor post in the General Post Office at a salary of £50 per annum less than the salary of his original appointment, on the understanding that his acceptance of the post would tend to promotion, and that when vacancies arose in the positions of senior officers he was passed over, although recommended

by the senior superintendent; and whether, having regard to these circumstances, he will make some allowance to Cleary's family for his work over hours?

SIR J. FERGUSSON: Mr. Cleary has left a widow and nine children, but, as I am informed, not destitute. As I have already stated, to three of these children employment has been given in the Dublin Post Office, and they earn between them 37s. a week. The remaining children are too young to be employed. There is no record of Mr. Cleary having worked twelve or fourteen hours a day, and there was no necessity for him to do so; but consisting as his work largely did of outdoor inquiries, the number of hours he took to perform it was very much in his own hands. In connection with this kind of work it is not usual to pay for overtime; and when, six years ago, Mr. Cleary asked to be so paid, his request was not complied with. There was no record against Mr. Cleary until June last, when he was censured for a trifling offence. Mr. Cleary was for several years employed as a sorter in the Dublin and Queenstown Traveling Post Office. In this capacity he received, over and above his wages, a trip allowance of 7s. a trip. In November, 1884, he was promoted to be overseer, when, as he ceased to make trips, his trip allowance ceased. As sorter his wages were 46s. a week, and as overseer he received wages of 52s., rising to 62s. The acceptance of this promotion by Mr. Cleary was optional, and of course there was no understanding or promise that further promotion should follow. In August, 1891, however, Mr. Cleary was promoted to the class of Clerks, and his salary was raised from 62s. a week (£161) to £170, rising to £190 a year. He appears to have expected promotion to the still higher position of assistant superintendent, but for this he was not recommended. There is no ground for making any retrospective payment on account of his service.

MR. MAC NEILL: I beg to give notice, Mr. Speaker, that on a future occasion I shall call attention to this cruel case.

THE SASINE OFFICE IN EDINBURGH.

Mr. BUCHANAN (Edinburgh, W.): I beg to ask the Lord Advocate whether he will cause arrangements to be made to obviate the delay that has been complained of in the registration of writs in the Sasine Office in Edinburgh at the Whit Sunday and Martinmas terms?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I have to inform the hon. Member that a proposal for obviating delay in the registration of writs at the money terms, by a temporary increase in the staff, is under consideration.

THE ROYAL IRISH ACADEMY.

Mr. W. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what portion of the Parliamentary grant of £2,000 per annum to the Royal Irish Academy is devoted to the department of physical science, and what portion to that of national archæology?

SIR H. MAXWELL (A Lord of the Treasury) (Wigton) (who replied) said: The Parliamentary grant to the Royal Irish Academy is now £1,600, and not £2,000. I am informed that the portion of the grant allotted to physical science does not exceed £100 a year. About £1,000 of the grant may be said to be devoted to purposes connected with archæology.

HOLYHEAD HARBOUR.

Mr. LEWIS (Anglesey): I beg to ask the President of the Board of Trade whether the Government have come to any decision as to the removal of the Platters Rocks, in Holyhead Harbour, as requested by a deputation which appeared before the President of the Board of Trade in August, 1888; and, if so, what their decision is?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Some time ago I suggested a plan which I thought might improve the accommodation in this harbour for the smaller class of vessels at a comparatively small cost; but this did not meet with sufficient support to justify the Government in proceeding with it, and I can only say that no definite

decision has been come to on the subject.

SUB-CONTRACTS ON GOVERNMENT BUILDINGS.

Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Commissioner of Works whether he is aware that the contractor for the new sorting office at Paddington has sub-let a portion of the brickwork pointing; whether this sub-contracting was done with the approval of the Board; and, if so, on what grounds; and whether the assent of the Board was asked previous or subsequent to the sub-contract being made?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The only portion of the work referred to by the hon. Member which has been sub-let is the pointing of the glazed brickwork. I approved of this on the ground that this is a special kind of work, requiring to be done by experts. The men were paid 10d. an hour, instead of the common rate of 9d. The contractor did not obtain my consent until he had entered into the sub-contract, as the amount of work was so trifling that he was under the impression that it was hardly worth a special reference. In this, no doubt, he was wrong, and I have called his attention to the matter; but I did not, on that account, think it necessary to withhold an assent which I would certainly have given had it been asked for beforehand.

THE POSTAL TELEGRAPH FACTORY.

Mr. SYDNEY BUXTON: I beg to ask the Postmaster General if he will explain why it is that, while the arbitration agreement between masters and men of 19th November, 1891, fixed the working time for carpenters and joiners at 51½ hours per week for 36 summer weeks and 47 for 16 winter weeks, the men employed at the Postal Telegraph Factory are expected to work 54 hours per week; whether he is aware that these conditions, and the other conditions of employment, prevent those carpenters and joiners who are members of trade unions bound by the terms of the arbitrator's

award from seeking work at the Telegraph Factory; whether any complaints have been made to him on the subject, and whether two joiners were recently discharged because they refused to break the recognised rules of the trade by working longer hours; whether he is aware that the Board of Works, in a letter dated 24th December, 1891, have adopted for the men employed by them the working hours laid down in Rule 1 of the arbitrator's award; and whether he can see his way to follow the example thus set by another Department?

SIR J. FERGUSSON: The hours of work at the Telegraph Factory are uniform for the tradesmen employed, and not varying according to those worked elsewhere by those of similar trades in different circumstances. I am not aware that carpenters belonging to unions have been thereby debarred from seeking work at the factory, and no complaints on the subject have been received. The men referred to are believed to have been two of three who were parted with on the completion of a piece of work connected with the extra pressure at Christmas. Their discharge was not connected with the question of shorter hours. Having regard to the privileges of a fortnight's leave on full pay, and of an extra day at Christmas, which the carpenters in the factory enjoy in common with the other people there, their pay amounts to more than they would receive under the union pay rules, while the employment is steady and continuous. I believe that the circumstances of employment by the Board of Works differ from those in the Post Office Factory.

CLERKS IN THE CENSUS OFFICE.

MR. H. GARDNER (Essex, Saffron Walden) for EARL COMPTON (York, W.R., Barnsley): I beg to ask the President of the Local Government Board if he will explain why, although temporary clerks in the Census Office, appointed after open competition in February, 1891, were informed that they would be placed on the same footing as clerks of the second division as regards holidays and sick leave, towards the end of the year the Registrar General gave instructions

that pay during sick leave should be discontinued; and whether he will direct that the original promise to the temporary clerks, which was adhered to for about eight months, shall be fulfilled?

SIR H. MAXWELL (who replied) said: In the printed conditions of the competition for temporary clerkships in the Census Office no mention was made of leave or sick leave; and the temporary Census clerks were not informed, either by the Registrar General or with his authority, that they would be placed on the same footing as second division clerks in the matter of holidays and sick leave.

MR. JOHN CAREY'S PENSION.

MR. HARRISON (Tipperary, Mid) I beg to ask the Postmaster General whether the full rate of pension has been withheld from Mr. John Carey on his resignation of his duties as postman in and about Templemore, County Tipperary, owing to ill-health; if so, will he be prepared, in view of Mr. Carey's 24 years of faithful service, to recommend that he should in future receive the full rate?

SIR J. FERGUSSON: Counting from the date of his permanent appointment—namely, the 11th of July, 1868, John Carey had served only 23 complete years, and in respect to this period he was granted the full pension of 23-60ths of his wages. Prior to the 11th of July, 1868, Carey served for about 13 months in a temporary capacity; but this does not count for pension.

THE CONGESTED DISTRICTS BOARD.

MR. COLLERY (Sligo, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Congested Districts Board have received a resolution passed at a public meeting held in Sligo, and also one by the Grand Jury of the county, recommending among other things the establishment of a fish-curing station at Malaghmore, where a breakwater erected by the late Lord Palmerston exists; if the Congested Districts Board Inspectors have visited any portion of the county of Sligo, which has a coast line of about 60 miles, most of which has been scheduled under the

Act; if he is aware that most of the scheduled district contains a very poor population, who live mainly by fishing, and that no fishery pier of any kind exists along the coast; and if he will use his influence with the Board to put the Act in practical operation in the county of Sligo?

MR. MADDEN (who replied) said: The Congested Districts Board have received copies of the Resolutions referred to, and the recommendations made at the meeting mentioned shall be carefully considered by the Board. Local inquiries have been directed by the Board, who now await the necessary Reports.

MEDICAL OFFICERS OF THE VOLUNTEERS.

COLONEL EYRE (Lincolnshire, Gainsborough): I beg to ask the Secretary of State for War whether it is his intention to give effect to the recommendation of the Volunteer Medical Organisation Committee, 6th November, 1888, in Section 42,

"That the Medical Officers of the Volunteer Force should be placed on precisely the same footing as other Officers of the Volunteers regarding the distribution of honours and awards?"

*MR. E. STANHOPE: If the Volunteers ever take part in active service in the field they will be entitled to the same honours as the Regular Forces; but otherwise the only rewards now open to them are in consideration of long and efficient service in command of a corps.

DELAY IN THE LAND COURTS.

MR. COLLERY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state why the case of James Perry, of Crieve, Barony of Cremorne, and County of Monaghan, whose originating notice was served March, 1887, to fix a fair rent, has not been disposed of; if he is aware that the case was listed for hearing January, 1891, when, after waiting four days, the tenant was told by the Court his case would be heard in a few days, which has been extended to the present time, and not yet disposed of; and if there is any redress for the delay, expense, and inconvenience he has been subject to?

Mr. Collery

MR. MADDEN (who replied) said: The Land Commissioners report that the originating notice in the case mentioned was dismissed by the Sub-Commission on 7th May, 1889. The tenant served a notice for re-hearing, and the case was listed in January, 1891, but the Commissioners were unable to reach it. The Commissioners point out that the tenant could not have been informed by the Court to effect stated in the question, inasmuch as the sittings in Monaghan were arranged to continue for one week only. The case will be listed in due course for the first appeal sitting for the district; but no date has yet been fixed.

MR. MAURICE HEALY (County Wick): The tenants have great reason to complain of the manner in which land costs are increased by the way in which cases are put at the end and held over.

MR. MADDEN: We will do what we can to give facilities for the hearing of cases.

THE INNISMURREY ISLAND PIER.

MR. COLLERY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what progress has been made with the pier that has been in course of construction on Innismurrey Island, County Sligo, and how much money has been expended on it; if it is intended to build a corresponding pier on the mainland to enable these people to land their boats; whether he is aware that there is no place at present where they can land except the rugged coast?

MR. MADDEN (who replied) said: In connection with the relief of distress last year works were undertaken on Innismurrey Island for the making of a breakwater and clearing away boulders. The total expenditure there, including the making of some bridle roads, was £437. A further sum of £150 is being expended in completion of the clearing of boulders. The Government have funds available for the purpose of building a pier on the mainland.

LABOURERS' COTTAGES IN THE MOUNTMELICK UNION.

MR. A. O'CONNOR (Donegal): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state how many labourers' cottages

have been erected, or are in course of erection, in the Mountmellick Union; how long is it since those now in course of erection were first applied for by the labourers and ratepayers; what has been the entire expense of the working of the Labourers' Acts in the Union since 1883, and how much has been paid in law costs and for fees to Clerks of Works; whether there are any actions pending against the Guardians in connection with the working of the Act; if so, by whom, and for what amounts?

MR. MADDEN (who replied) said: The Local Government Board state that they have received a Report from the Clerk of the Mountmellick Union, from which it appears that there are 24 cottages erected and ten in course of erection. (2.) It is over six years since the latter were first applied for by the labourers and ratepayers. (3.) The entire expenses of the working of the Labourers' Acts in the Union from 1883 to the present date is £5,162, of which £652 has been paid in law costs and £103 for fees to Clerks of Works. There are two actions pending against the Guardians in connection with the working of the Acts—namely. one by Clerk of Works for £416 18s. 9d. and the other by a contractor for £94 5s. There was also a decree given against the Guardians at the Quarter Sessions at Maryborough on Friday last for £8 and costs for damage to a young horse by a barbed wire fence inclosing one of the labourers' plots.

PAPERS IN THE CHIEF SECRETARY'S OFFICE.

MR. W. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether there is a general Index of the Papers connected with the Chief Secretary's Office, by whom is it prepared and how checked, and what are the arrangements for transferring these papers from time to time to the custody of the Keeper of the Public Records in Ireland?

MR. MADDEN (who replied) said: The papers in the Chief Secretary's Office are registered, and indexed from day to day by the Registry staff. They are subsequently removed from time to time to the Record Tower under the provisions of the Public Records

(Ireland) Act, 1867. When the records are 50 years old they are transferred to the Public Record Office.

MR. W. O'BRIEN: I do not quite understand what is the check that prevents these papers from being destroyed.

MR. MADDEN: They are registered in due course.

EFFECTIVE SHIPS OF THE ROYAL NAVY.

MR. PICTON (Leicester): I beg to ask the First Lord of the Admiralty whether he would have any objection to lay upon the Table a Return giving a list of Her Majesty's ships fit for active service at sea, showing the dates at which they were respectively ordered, reported ready for sea, and first commissioned, together with the dates at which they have been paid out of commission and re-commissioned, and the stations and services upon which they have been employed down to the present time; also a similar list of ships which have been ordered during the last 25 years, and subsequently either sold, or broken up, or otherwise removed from the category of ships fit for active service at sea?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Return asked for would involve in its preparation very great clerical labour and considerable expense, nor is it quite clear for what object the Return is wished for. The hon. Gentleman will, however, find in Appendix 9 of the current year's Estimates particulars relating to the cost of every ship in the Navy arranged under the year of completion, and a further table giving the estimated annual rate of depreciation of the different classes of ships, and the annual amount of expenditure required for replacement.

MR. PICTON: I would like to ask the right hon. Gentleman whether he is aware that ordinary Members of Parliament find it quite impossible to trace the history of ships in the Navy; and whether he is aware of any method by which ordinary Members of Parliament can obtain the information they desire?

LORD G. HAMILTON: As I have stated, the Return for which the hon.

Member has inquired would involve considerable time, trouble, and expense; but if the hon. Gentleman will come to me after the questions are over I will give him every information I can, and do whatever I can to meet his views.

THE DEATH OF P. W. NALLY.

MR. P. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is optional with Prison Governors in Ireland to allow or disallow prisoners to give evidence before a Coroner as to the cause of death within the prison and the prison treatment of a fellow-prisoner; and whether there is any precedent for the action of the Governor of Mountjoy Prison in withholding from the Coroner the knowledge that five witnesses were willing to give material evidence as to the cause of the death of the late Mr. P. W. Nally?

MR. MADDEN (who replied) said: The hon. Gentleman, in the second paragraph of his question, requires information as to the ordinary course in such cases. I have not yet been able to obtain the information necessary to enable me to answer that question, and I must ask him to postpone it.

THE CASE OF JAMES MURPHY.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether James Murphy, now in Mountjoy Convict Prison, who was sentenced to ten years' penal servitude at the Winter Assizes of 1883 (Carrick-on-Shannon), is now entitled, according to the ordinary practice, to be released?

MR. MADDEN (who replied) said: The General Prisons Board report that the convict referred to is undergoing a sentence of ten years' penal servitude imposed in December, 1884. In addition to this time he is also liable to serve a further period of 668 days, representing the remainder of a former sentence of penal servitude. Even if he had earned full marks (which he has not done), he could not become eligible for release under the rules for more than 18 months from the present time.

MR. SEXTON: I beg to ask whether a certain time is not taken off every

year for good conduct, and whether in that case this man ought not now to be liberated?

MR. MADDEN: I have no doubt the proper calculation was made by the prison authorities, and I gather from their Report that the time has not yet expired.

POSTAL SURVEYORS — PETITION TO THE POSTMASTER GENERAL.

MR. SEXTON: I beg to ask the Postmaster General whether, following the precedent in the cases of ten principal cities and towns in England, he intends to constitute the Postmasters of Belfast, Cork, and Limerick surveyors of their respective districts; and whether he has received from the United Kingdom Postal Clerks' Association a petition for reform of certain terms and conditions of employment in the service, and whether an answer has been given?

SIR J. FERGUSSON: (1) There is no such intention as is stated in the question. I may notice that the arrangement referred to applies only to three cities in England and one in Scotland. (2) With regard to the second part of the hon. Member's question, no such petition has been received, but I recently received a request by a second class sorting clerk asking whether I would accept a petition signed by the executive of the so-called association, and I replied that—

"While ready to consider any petition that may be put forward by the sorting clerk in question, or by other Post Office servants in their official capacity and forwarded through their superior officers, I must decline to receive representations from an organised association not recognised by the Department."

THE CUSTODY OF CHILDREN.

MR. SEXTON: I beg to ask the Lord Advocate whether he is aware that Mr. James Muir, Inspector of Poor, parish of Bothwell, who has in his charge two orphan girls, Rose and Mary Flannegan, now respectively 14 and twelve years of age, has removed the children from the Motherwell Workhouse, and refuses to inform their next-of-kin, namely, Mathew Flannegan, their uncle, and Elizabeth Flannegan, their grandmother, where the children are at present; and whether the uncle

and grandmother, being desirous to bring up and educate the children, are entitled to have the custody of them?

*SIR C. J. PEARSON: I have not yet received detailed information as to the facts of this case, but I am informed that it is now under consideration of a Court of Law, and I am, therefore, precluded from giving the hon. Member any opinion on the subject.

SUB-COMMISSIONS OF THE LAND COURTS IN COUNTY CORK.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the last sitting of a Sub-Commission for the hearing of fair rent applications took place in the County Cork, and when there will be another sitting?

MR. MADDEN (who replied) said: The Land Commissioners report that Sub-Commissions were continually employed in the County Cork from December, 1887, to the 22nd August, 1891. During this period there have been at times as many as six Sub-Commissions working in that county at the same time, and at no time less than two. No date has been arranged for the next Sub-Commission sitting for County Cork.

THE RETIREMENT OF CIVIL SERVANTS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what are the limits, if any, to the operation of the rule whereby Irish Civil servants are compulsorily retired on attaining the age of 65; and what are the principles on which the Government has in some instances departed from the rule?

MR. MADDEN (who replied) said: The Bill referred to in the first paragraph of the question is, in its terms, unlimited as regards its operation. The Order in Council gives power to the Treasury, at the instance of a Department, to extend an officer's employment beyond 65 years on being satisfied that such officer's retirement at 65 would be detrimental to the interests of the public service, and in the few instances in which officers have had their employment extended

in Ireland this has been done solely on that ground.

MR. MAC NEILL: Would not the retirement of Sir Thomas Brady be detrimental to Irish fishery interests, and have not two Civil servants, Dr. Moffatt, of Queen's College, Galway, and Dr. Byrne, Divisional Police Magistrate in Dublin, declined to retire under the rule?

MR. MADDEN: With respect to Police Magistrates I am not certain that the rule applies. At all events it does not rest with me. In the other case the question of the powers of the law has been raised, and a decision is pending.

MR. T. W. RUSSELL (Tyrone, S.): Does the law apply to the Education Department in Dublin?

MR. MADDEN: I believe it does.

THE ARMAGH DISTRICT ASYLUM ARCHITECT.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the reasons for which Mr. John Boyd, C.E., who has been architect to the Armagh Lunatic Asylum for the past 24 years, has been recently suspended, and also the reasons for the appointment of Mr. Phillips, who is at present employed as architect to this Asylum?

MR. MADDEN (who replied) said: I am informed that the appointment of architect to the Board of Governors of the Armagh District Asylum is not a permanent one. Mr. Phillips was selected by recent resolution of the Board of Governors for the new works, and his appointment sanctioned by the Board of Control. The Inspectors have no means of ascertaining the motives which influenced the Governors either in appointing Mr. Phillips or passing over Mr. Boyd, who acted as their architect previously.

THE OLPHERT ESTATE, FALCARRAGH.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Conaghan, the bailiff on the Olphert estate, at Falcarragh, in order to induce the evicted tenants to accept the landlord's terms, has gone round the estate protected by Sergeant Kenny and two

constables of the Royal Irish Constabulary, threatening that he would pull down the roofs and raze the buildings made by the tenants, and from which they had been evicted, to the ground, if the tenants did not attend and accede to the terms offered by Mr. Olphert; that on Wednesday, 23rd March, Conaghan, with the assistance and under the protection of the police pulled down the houses of five tenants; and that when a man named Thomas M'Geever claimed as his property a spade and ladder found in Philip M'Cafferty's house, Sergeant Kenny took these articles from M'Geever, and handed them to Conaghan, by whom they were broken; and whether the police are authorised, not only in protecting Conaghan in this destruction of the tenants' property, but likewise in assisting and co-operating with him?

MR. MADDEN (who replied) said: The Constabulary Authorities report that it is the case that the bailiff referred to is under police protection. The protection party state that they did not hear the bailiff use any threatening language as alleged. The police deny that they gave any assistance in unroofing or pulling down houses, nor did they take or hand over to the bailiff the articles alleged.

MR. MAC NEILL: Were they protecting the bailiff and his companions when they were looting houses and burning them?

MR. MADDEN: Certainly; I say they were protecting the bailiff.

THE GARTAN ELECTORAL DIVISION.

MR. A. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Congested Districts Board will consider the propriety of including the Gartan Electoral Division in the list of congested districts in County Donegal, and also of establishing a creamery in some central place in the congested districts of the Letterkenny and Stranorlar Unions?

MR. MADDEN (who replied) said: The Congested Districts Board have received an application to recommend that Gartan should be scheduled as a congested district, and they are engaged in making inquiries as regards this and

many other electoral divisions. The suggestion that a creamery should be established at some central place in either the Letterkenny or Stranorlar Unions will be considered by the Board when they receive Reports of the inquiries that they have directed to be made with respect to the locality in question.

THE GIBRALTAR SANITARY COMMISSION.

MR. CAUSTON (Southwark, W.): I beg to ask the Under Secretary of State for the Colonies, with reference to his statement as to the difficulty of securing influential ratepayers to serve on the Board of Sanitary Commission of Gibraltar, whether he will state what answers and reasons have been given by the gentlemen who have been asked and who have refused to serve on the Board under the Sanitary Order Amendment Order, 1891; and whether he will give the names of those who have been invited and have refused to serve?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): I think the House will agree with me that it would not be desirable in a case like this to state the reasons which weighed with these various gentlemen, at all events until their consent has been obtained; but if the hon. Gentleman will be good enough to communicate with me I shall be happy to give him confidentially a statement of the reasons.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for the Colonies whether he will state the names and occupations of the gentlemen who have been nominated by the Governor of Gibraltar as representatives of the ratepayers on the Sanitary Commission of the Colony?

*BARON H. DE WORMS: The names of the gentlemen who have been nominated are Mr. Arthur Rugeroni and Mr. W. J. Sallust Smith, chosen from the list of Grand Jurors, Mr. Augustus Du Moulin from the list of Special Jurors, and Mr. Adolphe Van Andlau from the list of Common Jurors. Messrs. Rugeroni

and Du Moulin have resigned their seats on the Board. Mr. Van Andlau is the accountant of the Anglo-Egyptian Bank. The Secretary of State does not know what are the occupations of the other gentlemen.

MR. SUMMERS: Are there two vacancies still unfilled?

*BARON H. DE WORMS: Yes, they are; two gentlemen having resigned.

MR. CAUSTON: I should like to ask the right hon. Gentleman whether it is not a fact that the nominations made by the Governor of Gibraltar of representatives of the ratepayers on the Sanitary Commission of the colony have been most unsatisfactory to the whole population?

*BARON H. DE WORMS: No, Sir; I am not aware.

THE CASE OF JOHN SWEENEY, JUNIOR.

MR. KILBRIDE (Kerry, S.): I beg to ask the Attorney General for Ireland, with regard to the case of John Sweeney, junior, Kilgarvan, County Kerry, who was arrested on the 13th February, 1891, charged with the murder of Denis Harrington (a game-keeper), Glengariffe, and who, having been 16 times remanded, was kept in custody for ten months, and ultimately released on his own recognisances, whether the Crown still retain a portion of his wearing apparel; whether he has applied to District Inspector Sullivan, Bantry, for the remaining portion of his clothes; and whether the Crown will restore him his property and compensate him for the injuries which he has sustained? The hon. Gentleman also asked what was the amount of the charge furnished to the Crown for the expenses of witnesses for the defence in the case of the *Queen v. John Sweeney, junior, Kilgarvan, County Kerry*, at the Cork Summer Assizes and Nenagh Winter Assizes last year, and what amount has been paid and when the balance will be discharged? The hon. Gentleman further asked whether in February, 1891, the police took possession of a gun and two dogs, the property of John Sweeney, senior, Kilgarvan; and, if so, by what right; whether they still retain possession of them,

and, if so, whether he will direct their return?

MR. MADDEN: With the permission of the House, I shall now reply to the three questions of the hon. Member bearing on the same subject. The man mentioned was arrested on a charge of murder, was remanded twelve times, and was finally committed for trial at Cork Summer Assizes, 1891, where a true bill for murder was found against him by the Grand Jury. The man was subsequently released on bail at Cork Winter Assizes, 1891, to which the trial had been postponed, but at which it was not proceeded with. The amount claimed as witnesses' expenses for the defence was £14 16s. 3d.; the amount found on examination to be admissible was £2 18s. 6d., which has been paid. The articles of clothing, the gun and dogs, were detained by the police as evidence in the case. The question as to their disposal is now being submitted to me by the Constabulary authorities.

MR. SEXTON: What right have the Crown to keep the man's clothes which were so left?

MR. MADDEN: They have a perfect right to take anything that they think may lead to identification, and it was on that ground that they were taken.

MR. KILBRIDE: Will the right hon. Gentleman see that the man is compensated?

MR. MADDEN: Oh, no, Sir; that is a very different story.

THE ORDNANCE SURVEY OF SCARBOROUGH.

MR. ROWNTREE (Scarborough): I beg to ask the President of the Board of Agriculture if the sheets containing the 25-inch Ordnance Survey of Scarborough are yet completed; and if not, if the work can be hastened in view of its urgency and importance to the municipal and sanitary authorities?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The sheets containing the Ordnance Survey of Scarborough on the 25-inch scale are not yet ready for publication, and I am unable to fix the precise date when they will be. But I am advised that in two months' time they will be suffi-

ciently advanced to supply tracings if necessary. The publication of these sheets shall be hastened as much as possible.

MILITARY HEADQUARTERS, ENNISKILLEN.

MR. JORDAN (Clare, W.): I beg to ask the Secretary of State for War if it has been determined to remove for the future the military headquarters from the borough of Enniskillen to Londonderry; and, if so, will he state on what grounds?

*MR. E. STANHOPE: The headquarters of the regiment will be removed from Enniskillen to Londonderry when barrack accommodation is ready, as being a preferable station on military grounds. A detachment will remain at Enniskillen.

MR. JORDAN: I know very well that it is on military grounds, but that is a general term. I want to know on what grounds?

*MR. E. STANHOPE: I can hardly be expected to give the hon. Member a full statement, but I will say that it is mainly because there is more suitable accommodation for barracks at Londonderry. A detachment will remain at Enniskillen.

MR. JORDAN: How can there be better accommodation when there are no barracks built. I will repeat this question another time.

MAIL SERVICE FROM DUBLIN TO WEXFORD.

MR. T. J. HEALY (Wexford, N.): I beg to ask the Postmaster General if he is aware that the mail train from Dublin to Wexford takes three hours and thirty-five minutes to perform a journey of 92 miles, and stops at 18 stations; if any other trunk line in the United Kingdom runs a mail train which stops, on an average, once in every five miles; if he is aware that numerous complaints have been made by the merchants and traders in the County Wexford as to the inadequacy of the present mail service; and if he is prepared to take any steps to improve it?

Mr. Chaplin

*SIR J. FERGUSON: The ment as regards the running of the mail train from Dublin to Wexford is correct. This is the less important of the two mail trains. There is one trunk line upon which the mail stops once in every five miles. Numerous representations have been made respecting the slowness of the Wexford service, and the Department has materially improved it by adopting special arrangements for sorting the railway and employing additional force. Indeed, everything possible has been done to meet the complaint made short of quickening the run of the train, and it is regretted that the additional outlay required for that purpose is far beyond what the circumstances would warrant.

MR. T. J. HEALY. Will the hon. Gentleman say whether he will advise that any grant should be made, and, if so, to what amount?

*SIR J. FERGUSON: I am sorry to say there is at present a loss on the service, and it is impossible that anything can be done to accelerate the time.

NAVAL OFFICERS AND CHILDREN AT CHRIST'S HOSPITAL.

COMMANDER BETHELL (York Holderness): I beg to ask the Member for Exeter, as a Charity Commissioner, whether the Commissioners have yet come to any decision as to the claims of Naval Officers to have the customs continued by which a certain number of the children of Naval Officers were admitted to the foundation of Christ's Hospital by special provision?

SIR S. NORTHCOTE (Exeter): The financial condition of Christ's Hospital during the present period of depression is not such as to admit of the position of any charges not authorised by the scheme lately approved by His Majesty. When that period shall have expired the Commissioners will be ready to take the matter into their able consideration.

LORD CLANRICARDE AND HIS TENANTS.

MR. CONDON (Tipperary, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Lord Clanricarde at the beginning of last month seized a quantity of turf which belonged to another person who owed no rent to Lord Clanricarde on the holding of a tenant named Michael Gorman at Derryrulier, County Galway, without any order of a Court, but under a distress warrant issued by Lord Clanricarde's agent for rent due by Gorman; whether members of the Royal Irish Constabulary were employed to watch the turf for 14 days between the dates of seizure and sale; and whether, considering the danger to the public peace and the waste of property involved, he will refuse to have the police employed under such circumstances in future?

MR. MADDEN (who replied) said: I have nothing to say with respect to the action of Lord Clanricarde or his agent. I believe the police were not so employed.

MR. CONDON: What were the police doing there?

MR. MADDEN: They were engaged in their ordinary duties.

SEIZURE OF A GUN BY THE IRISH POLICE.

MR. ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will give instructions to have Mr. Martin Egan, P.L.G., of Duniry, County Galway, paid the value of his gun, which was seized by the police in consequence of his licence having been revoked by the Lord Lieutenant of Ireland, or will he allow Mr. Egan to sell it to a holder of a licence?

MR. MADDEN (who replied) said: When the owner referred to surrendered his gun on 25th April, 1888, he asked to be allowed to sell it. This the Inspector General of the Royal Irish Constabulary at once assented to, on the condition that it should be sold to a duly licensed person. This permission still holds good.

LOSS OF LIFE BY FIRES.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Secretary of State for the Home Department whether, having regard to the loss of life by fire recently at Battersea, Fulham, Long Acre, and Westminster, he will consider the expediency of making it compulsory upon owners and proprietors of all business premises where *employés* sleep to provide adequate means of escape in case of fire; and whether, in view of the fact that there are simple and effective fire escapes, such as one Department of the Government have already adopted, and that "The Factory and Workshops Act, 1891," contains a clause for such provision where 40 persons are employed, he will take steps to extend this protection to cases where there are a lesser number of families and guests?

MR. MATTHEWS: So far as the question of my hon. Friend refers to factories, I can only say that I have no information which leads me to think that the novel and special provisions against fire contained in the Factory and Workshops Act of last Session require amendment, or that the limit of numbers which was adopted by Parliament is not sufficiently low. I should not be prepared to introduce legislation making it compulsory on the owners of all business premises where *employés* sleep or upon the owners of private houses where persons sleep to provide, in case of fire, means of escape determined by Statute.

THE IRISH CATTLE TRADE.

MR. SEXTON: I beg to ask the President of the Board of Agriculture whether he is aware that heavy loss is being inflicted upon farmers, cattle dealers, and Shipping Companies connected with Belfast and the County Antrim by the mode in which the provisions of the Contagious Diseases (Animals) Acts are being applied in certain ports of Scotland; whether, in reply to the following question from Belfast—

"Can cattle from this county (which is free from disease), accompanied by declaration and certificate, and landed from the steamer, at the Port of Ayr, into railway waggons, without trespassing on the shire or burgh of Ayr, and railed through to Fife, be admitted?"

the clerk to the Local Authority of Fife wired in reply, on Wednesday last, "No, cannot be admitted"; whether all the other ports used in the cattle trade from Belfast to Scotland are, like Ayr, closed against that trade at present, so that Irish cattle are shut out of Scotland because the Scotch ports are situate in infected areas; and what measures will be adopted in regard to a state of things injurious not only to the farmers of Antrim, who have a large surplus stock, with a scarcity of feeding, but also to the dealers, the Shipping Companies, and the farmers in Scotland?

MR. CHAPLIN: I am aware that loss—and I am afraid very serious loss—must have been inflicted on the various interests referred to in the first paragraph of the question, and I greatly regret it; but such loss is inseparable, I fear, from the measures which have been necessary to check the spread of foot-and-mouth disease. In reply to the third paragraph of the question, no port of either England or Scotland is closed against the Irish trade, but no animals of any description are allowed to leave one of the ports—namely, Glasgow—at present, because that city has recently been a dangerous centre of the disease, and I am advised that it would not at present be safe to open it; on the other hand, Irish cattle can be landed at Greenock, and passed through Glasgow without being untrucked to any other part of Scotland that is willing to receive them. I have no knowledge of the correspondence referred to in the second paragraph of the question; and if Irish cattle are not admitted into Fife it is not due to any regulations at the port, but to orders passed by the Local Authority, forbidding the entry of animals into their district for their own protection. It would be manifestly impossible for me to interfere with the discretion of Local Authorities in that respect, when, by doing so, I might be the means of introducing disease into their district. I am perfectly alive, however, to the immense importance of the Irish cattle trade; and I hope, if there should be no further outbreaks, the difficulties under which it is conducted at present will most of them disappear.

Mr. Sexton

H.M.S. "AURORA."

MR. TATTON EGERTON (Cheshire, Knutsford): I beg to ask the First Lord of the Admiralty whether the account in the *Times* of 1st April with reference to the breakdown of H.M.S. *Aurora*, is correct; if it is correct, who were the designers and makers of the engines; whether the makers of the engines made any remonstrance to the advisers of the Admiralty, calling attention to the evident weakness of the piston rods to transmit the power; why were the piston rods renewed, and were they increased in sectional strength; and is there any clause in the contract with the makers of the engines making them responsible for any faults in the design of the engines, or are they relieved from any such liability?

LORD G. HAMILTON: The report in question is not correct. The facts are as follows:—During a recent full-power trial of the engines, certain defects were revealed which have necessitated an inquiry by the Dockyard officers. The *Aurora* has therefore been ordered home to Devonport, and will be replaced by the sister ship *Narcissus*. The size of the piston rods fitted in the engines of the *Aurora* was that proposed by the makers of the machinery, Messrs. Thomson of Clyde Bank, and was of a section equal to those fitted to engines of the same power which have been placed in four other vessels of the class. A piston rod was renewed in one out of the six cylinders in the *Aurora* to suit the new piston fitted at the Dockyard. The size was then increased one-sixteenth of an inch, but not on account of a supposed lack of strength in the original design. By a clause in the contract, the makers of the machinery were responsible for its efficiency for a period of twelve months from the date the ship was first commissioned.

LEADING LIGHTS TO HARBOURS IN ORKNEY AND SHETLAND.

MR. LYELL (Orkney and Shetland): I beg to ask the Lord Advocate what arrangements the Government have made for erecting in the course of the year leading lights to harbours in Orkney and Shetland, and particularly

at the entrances to Kirkwall Harbour, Scalloway, Vaila Sound, and Balta Sound?

*SIR C. J. PEARSON: I have to inform the hon. Member that the Board of Trade have given their sanction to a light being placed on Helliar Holm at the entrance to Kirkwall Harbour. The question of erecting the other lights referred to is now under the consideration of the Government, and it is hoped, if the necessary funds are voted by Parliament, to proceed so far as may be possible with the construction of the lights on the coasts of Orkney and Shetland on the lines recommended by the Commissioners.

THE DEATH-RATE IN GIBRALTAR.

MR. SUMMERS: I beg to ask the Under Secretary of State for the Colonies whether he will inform the House what was the death-rate in the civil and military populations of Gibraltar during the years 1890 and 1891?

BARON H. DE WORMS: The Secretary of State has called for the information desired, and it will be communicated to the hon. Member as soon as it has been obtained. The death-rate for 1890 among the military population (including officers, men, women, and children) was 6·30 per 1,000. The particulars for 1891 have not yet been received.

COMMISSIONER JOHNSTON AND THE SLAVE TRADE.

MR. A. E. PEASE (York): I beg to ask the Under Secretary of State for Foreign Affairs whether any Despatches have been received from Commissioner Johnston detailing his operations against the Slave Trade on Lake Nyassa both at Makanjilas and M'Ponda's Towns?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): No Despatches of the character referred to by the hon. Member have been received from Mr. Johnston. There is, however, reason to believe that two at least of his Despatches have miscarried, and not reached this country. Yesterday, however, a telegram was received at the Foreign Office from Consul-General Johnston, dated

Zomba, 8th March, to the following effect:—stating that he had just received further news from Mr. King at Fort Johnston (opposite M'Ponda's). His reason for attacking Zarafi was that the latter had recommenced slave raids against the people on the River Shiré, with the assistance of a large caravan of slaves from Kilwa on the East coast. One Zanzibari is reported killed and some of the Indian troops; Mr. King and six men were wounded. Commander Kean, of Her Majesty's gunboat *Herald*, had gone to take command at Fort Johnston, and reported on the 3rd March that all was well there, and that M'Ponda was thoroughly loyal. His orders were to remain only on the defensive. It appears that on Zarafi's side 32 men were killed, including seven or eight of the Kilwa traders, his brother Khamisi and his Swahili councillor Barghash. In spite of the fact that our men were repulsed, no attempt had been made by Zarafi to follow up his advantage, and he had retired to the hills. There was no trouble in the district anywhere, but at the south-eastern end of Lake Nyassa. Everywhere else there was peace, and trade was increasing.

THE EAST AFRICAN SLAVE TRADE.

MR. A. E. PEASE: I beg to ask the Under Secretary of State for Foreign Affairs what is the number of Her Majesty's ships employed in the Slave Trade suppression service on the East Coast of Africa?

LORD G. HAMILTON: All of Her Majesty's ships on the East Coast of Africa are in possession of warrants, and have full authority to act in the suppression of the Slave Trade. In the neighbourhood of Zanzibar and Pemba there are three third-class cruisers; on the rivers Zambesi and Shiré, two steamers; at Aden and the neighbourhood, one third-class cruiser; and in the Persian Gulf, one third-class cruiser. I may, however, observe that these vessels have other duties to perform besides the suppression of the Slave Trade.

FRENCH AND SCOTCH STEAM TRAWLERS.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many

French and Scotch steam trawlers are now off the coasts of Galway and Mayo?

MR. MADDEN (who replied) said: The Inspectors of Irish Fisheries have not particulars at present available to answer this question, but are making inquiries. Perhaps the hon. and gallant Member would be good enough to defer it for a week.

COLONEL NOLAN: I will repeat the question on Thursday.

PORTAL VETERINARY INSPECTORS IN IRELAND.

MR. MAGUIRE (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, having regard to the responsible and important duties discharged by the Portal Veterinary Inspectors in Ireland, he is prepared to recommend the Lords Commissioners of the Treasury to grant such a suitable superannuation allowance to these officers as is customary in other branches of the Civil Service?

MR. MADDEN (who replied) said: The Portal Veterinary Inspectors accepted their appointments with the full knowledge that they were not entitled to either pension or gratuity on ceasing to hold office; and it is not proposed to alter the conditions of their employment.

THE KENMARE FISHERY DISTRICT.

MR. KILBRIDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a man named Griffin was fined at the Petty Sessions Court in Sneem early in March for removing gravel from the River Onreagh at Inchmaleega, in the Kenmare fishery district, a place from which the public have had the right for the past 50 years of removing gravel; and whether he can state on what grounds Griffin was fined?

MR. MADDEN (who replied) said: I am informed that the man named was fined at the Petty Sessions on the prosecution of the Conservators of the Kenmare fishery district for having removed gravel from the spawning beds of salmon. People are only prevented from removing gravel from these rivers during the close season for salmon.

Colonel Nolan

LOCAL TAXATION.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the First Lord of the Treasury whether, in order that the House may be informed of the whole amount of taxation, local as well as Imperial, borne by the country, and of the distribution of the burden between real and personal property, he will arrange that a general statement on local taxation and debt, and on the increase and decrease of rateable values, shall be made this year in connection with the Budget; and, if not, whether, on some other occasion, a Ministerial Statement will be made on the growth of local expenditure and indebtedness, so as to afford the House a suitable opportunity of considering the subject?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I have consulted my right hon. Friends most directly concerned on the subject of this question, with every desire to meet the wishes of my hon. Friend if it should be found practicable. But I understand that the great complexity of local expenditure, the very large number (28,000) of the Local Authorities from which accounts have to be obtained, and the length of time necessarily involved in auditing these accounts, make it impossible to present to the House the expenditure of Local Authorities for the year preceding the Budget Statement.

MR. STANLEY LEIGHTON: The right hon. Gentleman has not answered the second part of my question—whether the Government will give the House an opportunity on some other occasion of considering this subject?

MR. A. J. BALFOUR: I understand it has been the practice in previous years to make some such statement as this upon the Second Reading of the Local Funds Bill; but that practice has been discontinued, and I am not aware that it met with any great favour in any part of the House.

MINING ROYALTIES.

MR. J. O'CONNOR: I beg to ask the Chancellor of the Exchequer whether it is the intention of the Woods and Forests Office to reduce the royalties on gold and silver in

Ireland to 1 per cent., as they have done in the case of the Welsh gold mines; what was the reputed value of the gold obtained by the peasants and landowners in the County of Wicklow about the year 1796, immediately preceding the Government taking possession of the mines; what was the value of the gold obtained by the Government after the mines were taken possession of and worked by the Crown; what was the amount of money expended by the Government in erecting barracks for the soldiers and for officers' quarters and works, which were burnt down by the residents and rebuilt, and then again burned down as a protest against the action of the Crown; and has any attempt been made from that time to this to open up these mines by the Crown or any other persons; have any leases been granted in Ireland to work for gold and silver (these metals being the property of the State), with an absence of conditions to work; and, if so, in how many cases and on what terms; and, if so, what area of land is owned by such lessees; does he intend to insert any provisions in the Bill which he has before the House for the management and regulation of the Woods and Forests Office which will deal with the administration of the possible gold fields of Ireland; and how many leases are now in existence for working gold and silver in Ireland, and what area of land do such leases embrace, and how many men are employed in the undertaking?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member almost asks for an historical treatise to be given across the floor of the House. The arrangement for the reduction of gold-mining royalties to 1-100th only applies at present to the Morgan Mine. Where similar conditions are present, similar treatment will be given to mines in any part of the United Kingdom, but the case of each mine must be considered separately. As regards the historical questions in paragraphs 2, 3, and 4, the hon. Member will find information with regard to the Wicklow Goldfield on p. 211 of the third Report of the Mining Royalties Commission, but I do not know that it would be possible

now to give some of the particulars for which he asks. The answer to the fifth and sixth paragraphs of his question is in the negative. In answer to the last paragraph, three leases are now in existence for working gold and silver in Ireland, embracing an area of 5,535 acres. So far as is known, no men are at present employed in working for gold and silver in this area.

MR. KIMBER (Wandsworth): I beg to ask the Chancellor of the Exchequer whether the reduction of royalties promised by the Government from 1-30th to 1-100th in respect to the Morgan Gold Mine will apply retrospectively, so as to allow what has already been paid or charged in excess of one per cent. against any future royalties?

*MR. GOSCHEN: The reduction of royalties in respect to the Morgan Gold Mine will not apply retrospectively. I have stated that it was granted to secure a *modus vivendi*, and to avoid the alleged necessity for the dismissal of labourers, and not because the sliding scale previously offered was inequitable. I therefore see no reason why it should apply to the past. The company have themselves to blame if they did not accept a reduced scale of royalties earlier.

MR. A. O'CONNOR: I beg to ask the Chancellor of the Exchequer whether it is within his knowledge that large quantities of auriferous and argentiferous ores from foreign countries are treated in Swansea and other places; whether the Crown can claim any royalty upon the production of gold and silver from such ores; and whether he will consider the advisability of allowing the productions of mines within the United Kingdom free competition with foreign productions?

*MR. GOSCHEN: The official Returns do not distinguish the imports of auriferous and argentiferous ores, but I believe that some gold and silver is extracted from foreign ores at Swansea and other places. The Crown is not the owner of this gold and silver, and, therefore, can claim no royalty upon it. I understand that by the last paragraph of his question the hon. Member expresses a desire for the abolition of royalties. I would remind him that

the whole subject is at present under consideration by a Royal Commission.

MR. J. O'CONNOR: May I ask the right hon. Gentleman if he can state what the difference is between the royalties in Wales and the royalties in Ireland?

*MR. GOSCHEN: There is no difference between the royalties in Wales and the royalties in Ireland.

MR. A. O'CONNOR: Might I ask the right hon. Gentleman whether the Government recognise the fact that the imposition of revenue upon mineral products in this country handicaps the producer?

*MR. GOSCHEN: I think that is an argumentative question which must be left to the consideration of the Royal Commission.

MR. PRITCHARD MORGAN (Merthyr Tydvil): Is the right hon. Gentleman aware that the royalty is five per cent. in Ireland and one per cent. in Wales?

*MR. GOSCHEN: Considering that no ore is being extracted from minerals in Ireland I fail to see how that would be possible.

MR. PRITCHARD MORGAN: Neither is there likely to be as long as the present exactions in the form of royalties continue.

THE CASE OF JAMES HANDLEY.

MR. WEBB (Waterford, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether His Excellency the Lord Lieutenant, in considering the case of James Handley, aged about 15, now under sentence of death for murder at Wicklow, will take into account the precedents for commutation, on the ground of youth, afforded by the reprieves of Constance Kent many years ago, and of George Davies, aged 16, reprieved in April 1890?

MR. MADDEN (who replied) said: The case referred to is under the consideration of the Lord Lieutenant. His Excellency will have regard to all the circumstances of the case before coming to a decision.

METROPOLITAN POLICE COURTS.

MR. T. H. BOLTON (St. Pancras, N.): I beg to ask the Secretary of State for the Home Department

whether he will inform the House what he proposes to do with reference to the suggestion that certain Police Courts in the Metropolis should be re-arranged, with a view to the establishment of a Police Court in St. Pancras?

MR. MATTHEWS: It is my intention to refer to a Departmental Committee the question of the proper number and limits of the Police Court Districts of the Metropolis. It must not, however, be understood that this committee will be appointed necessarily with a view to the establishment of a Police Court in the St. Pancras area, where the Police Court business is not exceptionally heavy.

LONDON COUNTY COUNCIL FINANCE.

MR. J. STUART (Shoreditch, Hoxton): I beg to ask the Chancellor of the Exchequer whether the Treasury have recently refused to sanction a loan by the London County Council to the Holborn Board of Guardians, for a period of 30 years, repayable on the annuity system, and have stated that, unless the system of repayment by equal annual instalments of principal be adopted, the period of the loan must be reduced to 25 years; what other cases there have been in the last six years in which the Treasury have refused to sanction a loan by the Metropolitan Board of Works, or by the County Council, to a Board of Guardians, for buildings, or the acquisition of freehold sites, repayable in 30 years on the annuity system; whether it is the case that, during the three years of office of the late London County Council, 22 such loans were sanctioned by the Treasury for sums amounting in all to £201,200; and what is the reason for which the Treasury have made a new departure in the present instance, in connection with loans to Boards of Guardians?

MR. GOSCHEN: The facts stated in the first paragraph of the question are correct. It is the case that a certain number of loans to Boards of Guardians on the annuity system for 30 years were sanctioned by the Treasury during the terms of office of the late London County Council; and I am not aware that any such loans were refused. The action of the

Mr. Goschen

County Council, in endeavouring to adopt generally the annuity system, called the attention of the Treasury to the matter; and, upon careful consideration of the two systems, the Treasury came to the conclusion that, under similar conditions, repayment by annuity should extend over a shorter period of years than repayment by instalment, inasmuch as the annuity system throws a heavier burden on posterity, and, until the whole loan is repaid, affords no relief to future ratepayers concurrently with the imposition of the fresh burden which they will undoubtedly have to bear. The new departure to which the hon Member alludes was made in accordance with this conclusion.

INSPECTOR BLACK, OF BIRMINGHAM.

MR. J. O'CONNOR: I beg to ask the Secretary of State for the Home Department whether he will by courtesy state, has Mr. Black, late Inspector of Police in Birmingham, had a writ issued against any newspaper for the publication of alleged defamatory statements concerning him?

MR. MATTHEWS: I am informed by Mr. Black's solicitors that they are in communication with the proprietors of the newspaper with respect to the libellous statement made against their client; and that unless by to-morrow their client receives the satisfaction which he is claiming, a writ will be issued by them on his behalf for libel.

THE GRESHAM UNIVERSITY.

MR. BARTLEY (Islington, N.): I beg to ask the First Lord of the Treasury whether he is in a position to announce the names of the Royal Commissioners to whom the question of a teaching University for London (the Gresham University) will be referred?

SIR A. ROLLIT (Islington, S.): I beg to ask the First Lord of the Treasury whether he is able to state the terms of the Reference to a Royal Commission on the question of University education in London, and the names of the Commissioners?

MR. A. J. BALFOUR: I hope to be able to give a complete list of the names of the Royal Commissioners on

next Thursday, and I shall then give the terms of the Reference in the same statement.

THE EASTER HOLIDAYS.

MR. T. E. ELLIS (Merionethshire) (for Mr. J. E. ELLIS, Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury whether he can state when it is proposed the House should adjourn for, and re-assemble after, Easter?

MR. A. J. BALFOUR: I can give no explicit or satisfactory assurances on the question of the Easter Recess as to when, and for how long, the House will adjourn at Easter. The House will remember that last year they separated, I think, on the Thursday before Good Friday, and met again for the transaction of important business on the Thursday of Easter week, thus having only a week's holiday. I hope we shall not be so much restricted this year; but that, of course, must partly depend upon the course of business between now and then.

THE QUESTION OF DISSOLUTION.

MR. PICTON: I beg to ask the First Lord of the Treasury whether his attention has been called to the precedents cited in May's *Parliamentary Practice*, page 678 (edition 1883), according to which it has been usual, in anticipation of a Dissolution, to take only part of the Estimates, leaving the remainder to be voted by the new Parliament; and whether, in view of these precedents, the Government will refrain from asking for more than half the amount of the Civil Service Estimates?

MR. A. J. BALFOUR: The practice to which the hon. Gentleman refers hardly appears, so far as I understand, to support the suggestion conveyed in the question. Several illustrations are mentioned by Sir Erskine May of special circumstances under which Votes on Account had been taken, and in four of these the Votes preceded the Dissolution, and in none of them would the facts afford a precedent appropriate to the present condition of affairs.

MR. PICTON: I should like to ask if the right hon. Gentleman does not remember that in three of the cases the Dissolution occurred after the date at which the House is now sitting, and

only half the Votes were taken before the Dissolution?

MR. A. J. BALFOUR: Yes; but in 1841, 1857, and 1859 the Government had been defeated upon a Vote of Want of Confidence before the Vote on Account was taken. But the hon. Member will have observed that that has not yet occurred.

A QUESTION OF PRIVILEGE.

*(5.25.) SIR M. HICKS BEACH: On Saturday last a Special Report of the Select Committee on the Hours of Railway Servants, together with the evidence, was circulated to hon. Members, from which they will have seen that the Committee have reported that a certain railway servant, John Hood, was dismissed by the Directors of the Cambrian Railway Company mainly in consequence of charges arising out of the evidence which he gave before the Committee last year, and for which he was subsequently called to account and censured by some of the Directors and by the Manager of the Company. As Chairman of the Committee, I wish to give notice that it is my intention to call the attention of the House to that Report as a question of Privilege. Since that Report was presented the Committee have had before them two other cases in which it is alleged that certain railway servants belonging to the Amalgamated Society of Railway Servants have been dismissed from their offices in that Society, or otherwise injured, on account of the evidence given before the Committee. The Committee are now examining these cases, and will, I hope, shortly decide whether or not they shall make a Special Report upon them. Therefore, I do not now name a day upon which I shall call attention to this first Special Report, because I think it would be for the convenience of the House and fairer to all parties that the whole subject should be considered together; but I hope there will be no unnecessary delay in the matter.

*(5.26.) MR. CHANNING (Northampton, E.): I wish to ask the right hon. Gentleman whether the Special Report already presented is not in itself an absolutely completed document dealing with the whole of the evidence relating to certain specific cases; and whether he is not aware that a Report of this

kind upon which a Motion of Breach of Privilege may be based, might, if indefinitely postponed, prejudice, if it did not oust, that Report from its position in the ordinary proceedings with regard to Privilege; and whether it is usual that a Report of a Committee such as this, which is admittedly complete and final in its character, should be indefinitely postponed on the chance of other questions which have been brought before the Committee being similarly reported on at a later stage of the Session? I would ask the right hon. Gentleman, therefore, to re-consider his decision; and whether, in re-considering his decision, he will not name the earliest possible day for dealing with the Report in accordance with the usual course in cases of Privilege?

*(5.27.) SIR M. HICKS BEACH: I apprehend, Sir—but of course it is not a matter on which I can give an opinion—that no delay in dealing with the subject could oust it from its position as a question of Privilege; and that whatever time the House may decide to deal with it, it will still retain its position as a question of Privilege. On the other question of the hon. Member I will say this: The Special Report already presented deals with all the cases of alleged intimidation that have been brought forward by one side. The Committee are now engaged in considering and taking evidence upon other cases of the same kind which have been brought forward by the other side; and, as Chairman of the Committee, I think that both these cases should be considered together, instead of the House being asked to entertain the question of Privilege on two different occasions.

(5.28.) SIR W. HARCOURT (Derby): I have been very much surprised to hear the right hon. Gentleman talk of "sides" in this matter. It does not seem to me to be a question of "sides" at all. As I understand a breach of the Privileges of this House is supposed, or alleged, to have been committed by certain persons; and I see no reason why that matter should not be considered at once by the House without entering upon a question of recrimination between sides in the matter. It seems to me we ought as far as possible to avoid the consideration of what the right hon. Gentleman has called "sides"

Mr. Picton

on this question, and deal with it impartially as a matter relating to the privileges of this House. I do not know what your view of the matter is, Sir; but I have always understood that it is a fundamental Rule of this House that questions of Privilege should always be brought forward at the earliest possible moment, and for reasons that are perfectly obvious. I confess I see no reason why this case should be made an exception to that Rule, and more particularly on the grounds suggested by the right hon. Gentleman.

(5.29.) MR. ROBERTSON (Dundee): I should like to ask you, Sir, as a point of order, is it not a Rule of this House that no reference should be made here to proceedings before Committees upstairs until the Committee have reported to the House? The right hon. Gentleman has mentioned a fact known to him and to the Committee, but not known to the House, as to certain proceedings now taking place.

*(5.30.) MR. SPEAKER: I understand the right hon. Gentleman to say that the Committee have reported upon a case which they think touched upon Privilege, and that they are now discussing another case, which might also be one of Privilege, and that it might be for the convenience of the House to discuss them together. I know nothing of the special case before the Committee; but as to the question of Privilege there must, of course, be no undue delay in the discussion of such a question. The Privilege, however, will, of course, adhere to the question when it comes before this House.

(5.30.) SIR G. TREVELYAN (Glasgow, Bridgeton): I do not know whether I need put what I have to say in the form of a question, or that I need enter into the matters upon which the questions of Privilege arose. There is, however, a remarkable distinction between them, and that is, that one of them was brought forward and reported upon to the House before the other was actually started. I do not know whether that bears upon the question under discussion; but, considering the length of time which it took the Committee to deal with the first question of privilege, I think it is extremely probable that

several days, and possibly two or three weeks, will intervene, and that Easter will arrive before this second question, which was started after the other question, can be reported upon and dealt with by the Committee.

MR. MORTON (Peterborough): May I ask you, Sir, whether it would be in order for any Member of this House to bring a question of breach of privilege before the House?

MR. SPEAKER: Any Member can bring such a question before the House, but it would be for the House to decide whether it should be dealt with.

*MR. CHANNING (Northampton, E.): In regard to the reply which the right hon. Gentleman gave to the questions put to him, I would submit that the proper person to act in these matters would be the Chairman of the Committee; and I still hope that he may re-consider his decision; but in consequence of his reply I shall have to consider with some reluctance whether I shall not put down a Motion that this Report be taken into consideration on Thursday [Several hon. MEMBERS: No; to-morrow] — well, then, to-morrow, unless the right hon. Gentleman is prepared to make a similar Motion himself, in which case I would of course most gladly give way to him. There seems to be no justification whatever for postponing the consideration of these questions of privilege, with which the House is in a position to deal without delay.

*MR. MORTON: Mr. Speaker, I quite agree with you; and supposing that the Chairman of the Committee should neglect what you seem to consider to be his duty in this matter, I will bring the question forward myself, that is, of course, if the hon. Member for Northampton does not do so to-morrow.

MR. RADCLIFFE COOKE (Newington, W.): As one of the Members of the Committee I join with the hon. Gentleman in the expression of the hope that the Chairman of the Committee will move in the matter without delay. We have already presented a Special Report, which suggests that a breach of Privilege has been committed, and consequently I consider the time is now ripe for dealing with it. I would also venture respectfully to suggest that the

Chairman of the Committee would be the best person to deal with it.

MR. M'LAREN (Cheshire, Crewe): I wish to ask the right hon. Gentleman whether he has taken into consideration the fact that, in addition to the cases he mentioned, another case was brought before the attention of the Committee which cannot possibly be inquired into until after Easter. There seems to be quite a vista of these cases coming before us.

MR. PHILIPPS (Lanark, Mid): I should like to ask why, as in the case of the forged letters to the *Times*, the question of privilege should not have been brought forward to be dealt with as soon as possible after the offence had been committed?

MR. SPEAKER: There is no sort of parallel between the cases.

MOTIONS.

BUSINESS OF THE HOUSE (MORNING SITTINGS).

(5.42.) THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.) rose to move—

"That so much of the Order of the 3rd of March as prescribes that Financial Business and proceedings on the Introduction of Bills shall be the principal business at Morning Sittings be rescinded."

I think that the House will agree that, with the Bill of my right hon. Friend the Minister for Agriculture (Mr. Chaplin) on the Paper, it would be useful to make some progress with it in Committee before we enter into the consideration of any other business. I therefore hope that the House will unanimously grant the Government the very small privilege for which they now ask. I ought to advert to the circumstances that when I first gave notice that I would bring forward a Resolution of this kind I had hopes myself, and I had led others to hope, that the first business we should take this evening was the Committee stage of the Small Holdings Bill; but, as the House knows, the Debate on the Equivalent Grant for Scotland on Thursday last took more time than was anticipated, and I was very anxious to meet the wishes of gentlemen from Scotland, who, I am

sure, did not wish to delay business by prolonging the Debate. I thought it was the general wish of the House that we should dispose of the Second Reading stage of that Bill before we proceeded with any other business. I am quite conscious of the fact that some small inconvenience may and must result to hon. Gentlemen who take a keen interest in the Small Holdings Bill, and who wish to proceed with it without delay; but they will see that in this case the Government have not the control of the time of the House. Those who are most anxious with regard to the Small Holdings Bill will agree as to the undesirability of leaving the Second Reading of the Equivalent Grant for Scotland Bill in suspension until after Easter. I hope this arrangement will assist the House in dealing with the business which is before it.

Motion made, and Question proposed,

"That so much of the Order of the 3rd of March as prescribes that Financial Business and proceedings on the Introduction of Bills shall be the principal business at Morning Sittings be rescinded."—(Mr. A. J. Balfour.)

*MR. MORTON: I entirely object to this Resolution. We understood when we gave up the Morning Sittings to the Government that the time should be used for purposes of Supply. I have no objection to parts of the days being taken for Supply, but if they are to be used for other purposes I shall oppose it. It is "the same old dodge" as has been played on other occasions. Supply is to be put off until the end of July—supposing the Government are then in office—and then it will be rushed through in the middle of the night. I want to see Supply taken as early as possible in the Session, and regularly, so that it may be properly dealt with. We have had the Ordnance Vote before us on one or two occasions, and, so far as I can see, the right hon. Gentleman does not care to have that matter properly discussed. I dare say there are some people who wish to hush up the Enfield scandal, or what may be more properly called the Enfield and Birmingham scandal altogether.

MR. JESSE COLLINGS (Birmingham, Bordesley): Is the hon. Member in Order now in discussing the Ordnance Vote?

Mr. Radcliffe Cooke

MR. SPEAKER: The hon. Member's argument is to the effect that Supply should not be postponed.

*MR. MORTON: That is entirely what I intended to show, Mr. Speaker. I will not detain the House now by further reference to the Enfield and Birmingham scandal. I will only say that unless the Government give way on the question of compulsion, the Small Holdings Bill will be a farce, and that I shall oppose this Resolution.

MR. LABOUCHERE (Northampton): I presume that if the Resolution is agreed to, the Small Holdings Bill will be the only one that will be taken on Tuesday and Friday?

MR. A. J. BALFOUR: I will certainly not take any controversial Bill.

MR. D. THOMAS: Would the right hon. Gentleman regard the Clergy Discipline Bill as of a controversial nature?

MR. A. J. BALFOUR: We shall not take that Bill.

MR. SEXTON (Belfast, W.): I hope that the Irish Education Bill will not be sprung upon us.

MR. A. J. BALFOUR: It will not be sprung upon the House; I mean that I will give full notice of when it will be brought before the House. My right hon. Friend the Chief Secretary for Ireland is not here now, and I do not wish to say anything more with regard to it in his absence.

MR. SEXTON: We should certainly object to its being taken at a Morning Sitting.

MR. WALLACE (Edinburgh, E.): I would like to ask whether the Scotch Private Bill would be considered controversial?

Motion agreed to.

ORDERS OF THE DAY.

EDUCATION AND LOCAL TAXATION RELIEF (SCOTLAND) BILL.—(No. .)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [31st March], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

(5.50.) MR. PROVAND (Glasgow, Blackfriars, &c.): I consider that the answers given by the Lord Advocate and the Solicitor General the other night in regard to the objections raised to this Bill were altogether meagre and inadequate. Therefore, I trust that they will this evening be properly dealt with. The only justification which the Government could put forward as sufficient for their own proposals was, that if the Scottish people had had a full opportunity to consider the measure and had made up their minds on the subject, this Bill represented their mature opinion. But Scotland has had no opportunity of considering it nor of coming to a final conclusion. It has been stated in this Debate that there had been a demand from Scotland for this money, and the Lord Advocate said he had weighed carefully the reasons placed before him by the Public Bodies in reference to the allocation of the money; but these statements come too late. There was no demand whatever from Scotland for any assistance to the local revenues from the Imperial Treasury. Not a suggestion has been made of this kind from Scotland, and these reasons which the Lord Advocate speaks of having carefully weighed were put forward by different bodies who already knew that they were to share in the money, and their only object was to obtain as large a share as possible. Of course, when £265,000 has to be given away claimants are numerous, and therefore Parochial Boards, Town Councils and County Councils, University reformers, and Secondary Education advocates have all put forward their demands, and I have observed that no inconsiderable part of the money asked for by the advocates of increased secondary education will be required for a pension scheme which has been proposed. The Solicitor General also told us that the Chancellor of the Exchequer had received many deputations asking for this money, but here again these deputations were never heard of until it was decided to assist local objects from the Imperial Treasury. It is a repetition of the case of three years ago when the Chancellor of the Exchequer proposed to set aside a large sum from the Treasury for turnpike roads. Not a word had

come from Scotland asking for this money until the proposal was made. Not even by those who would have benefited had any demand been made upon the Treasury for such assistance. Further than this, so far as I can judge of the feeling of the only public meeting held in Glasgow, the public there do not want the money applied as it is proposed to do in the Bill. At this meeting they considered the first demand on the money should be to free from fees the remaining schools in Scotland in which fees are still collected, and that a further sum should be used to supply school books to certain pupils under certain circumstances, and that the balance should be handed to the Councils with, in effect, a free hand as to dealing with it. The scheme has been attacked from this side of the House on many different grounds, and no adequate defence has been made to these attacks, nor has there even been any reasonable explanations given. An absolutely strong case has been made out that it is inequitable to relieve local rates, which are largely landlords' liabilities, from Imperial taxation, which is to some extent collected by duties on food and other articles chiefly used by the working classes; property being, therefore, under these circumstances, to be relieved at the expense of the poorer classes. Another omission has been the absence of any scheme dealing with secondary education. There are something like £200,000 per annum available in Scotland at the present time for this purpose, and we were clearly entitled to a complete statement respecting this amount, the particulars of which could not be so well collected by any private person as they could by the Government. We are told that the £60,000 to be given under this Bill for secondary education will be distributed by the Scottish Education Department according to a plan which will be laid on the Table of this House. But when will such plans come up for consideration? After 12 o'clock at night in a tired House when every Member is anxious to get away. There never has been an adequate discussion of any question of this kind which came up so late. The only satisfactory statement made was that a portion of the money will be

Mr. Provand

applied to evening continuation schools. Even the friends of this measure have criticised it adversely. The hon. Member for South Lanark (Mr. Hozier) has said that the Councils and other Bodies who are to receive the money approve of the scheme, but what could you expect from them but approval? Is there the smallest likelihood that those to whom the money was to be paid would object to taking it? The hon. Member for Partick (Mr. Parker Smith) says that the allocation is one which he would not have made if he had had the disposing of the funds. This is a finance Bill and is far more the work of the Chancellor of the Exchequer than of the Lord Advocate, but not one word of defence or explanation has been offered by the Chancellor of the Exchequer in reply to the objections that have been made to it. From what he has said on previous occasions we however gather that he believes in the principle that local improvements should not be altogether met by local assessments but should be assisted from the Imperial revenue. This principle is bad and would be repudiated by most financiers. Why should a person be taxed on food in London to assist the carrying out of a public improvement in Glasgow, or the other way about? Why should money raised by Imperial taxation in Scotland be applied to local works in London? The principle is a wrong one and all local wants and local improvements should be met entirely from local sources. I would also draw attention to the gross unfairness of the way in which the money is to be divided. The counties will get very nearly half of the whole amount, although the burghs represent about £12,250,000 out of the £15,500,000 which is the rateable value of Scotland. If the money was divided as it ought to be, the burghs should receive three-quarters of the whole amount instead of only half, and the counties should receive a fourth instead of the half. There is no doubt that the scheme is inadequate and that the rates are unfairly divided between the burghs and the counties. Another objection to this Bill is that it makes the settlement of the money permanent and disables the House from hereafter altering the

destination of the money without the consent of the House of Lords. Municipal and County Councils should have free hand in disposing and applying the money. I think the first charge on the sum should have been the freeing of those Board Schools in which fees are still collected. Altogether the Bill is unsatisfactory and I shall vote against the Second Reading; but if any hon. Member will propose a Resolution to the effect that for this year the money should be voted in the Civil Service Estimate, in order that further time may be given to the consideration of the question, I shall support the amendment.

6.5.) **SIR G. TREVELYAN** (Glasgow, Bridgeton): Sir, everyone must feel that the Government will have very great difficulty in passing this Bill through Committee in its present shape. The objections of the Scotch Members are not whimsical or factious, but spring from a real knowledge of Scotch needs, and the very great interest they feel in the matter. I venture to think I see the root of this difficulty and how it can be met. There are many Members who support it, but who have not put it in definite shape. In the first place, some Members wish to have a great scheme of secondary education for Scotland. Other Members want to spend this money in the relief of rates. Most of the Members, perhaps all the Members, who want a great scheme of secondary education will vote against the Bill, and the Members who, like myself, think that the money is due to the ratepayers will for the most part vote for it; and with earnest representations to the Government that they should give careful consideration to what has passed in the Debate, and that they should so alter the Bill as eventually to secure its being accepted with something like unanimity by the Scotch Members. I want to defend my position against those who sit behind and around me and say that this money is due to the localities in the same proportion as they pay the rates. Have hon. Gentlemen considered, Sir, that the Scotch ratepayer in his character of taxpayer contributes his share of the two millions of Probate Duty which goes to pay English ratepayers rates? Therefore, unless he gets his share of the Probate Duty as

a ratepayer he will first pay the Englishmen's rate and then his own, so that there will be a distinctly and undeniably differential tax upon the Scotch ratepayer. My hon. Friend the Member for South Aberdeen said the demands for relief of rates come from England and not from Scotland. I do not see anything in that argument, because, wherever the demands come from, the money which goes to satisfy those demands comes just as much from Scotland as from England. And when my hon. Friend in a beautiful figure said that the tempter held out gold, it is his own gold, gold which he himself contributed, and of which he ought to have the benefit. I have done with the controversial part of my speech. There is only one fair and just way of dealing with this money, and that is to give the whole of it to the people in the various localities to do with it exactly what they wish, and it is because this Bill establishes that in principle more than the proposals put forward on this side, and especially that this Bill can be easily altered to carry that out in practice, that I shall vote for the Second Reading; but I earnestly hope that after the Debate the Government will see their way to alter it. Now, Sir, it is proposed to give some £60,000 for the purpose of secondary education. That is either too much or it is too little. It is too much for those localities which do not wish to spend any of this money on secondary education. It is most unjust to cut out a lump sum of £60,000 for secondary education, and to cut out a lump sum of £30,000 for the Universities out of the money which a community like Glasgow themselves thought should be altogether given in relief of rates. And here, Sir, I wish to put in a protest most distinctly against what I regard is the most demoralising and the most unstatesmanlike proceeding of allotting a certain fixed sum of money to a locality and saying to that locality it must spend that money on one special purpose or not at all. That leads to bad administration, and it leads to extravagance. But, Sir, I say that this money is far too little from the point of view of those who want to have a system of

secondary education established which will be worthy of Scotland. I have gone into this question very carefully and although I will not go into details now, I should like to ask the House to take the case of Aberdeenshire which has been so well represented in this Debate. Under this Bill Aberdeenshire will get £3,300 for secondary education. What is that for a community of 300,000 persons and something like 90 School Boards. My right hon. Friend opposite me the Member for Berwickshire, informs me that in the county which he represents the endowments for secondary education do not amount to £100, and what a farce it is to offer Berwickshire £700 or £800 a year to set up a system of secondary education. The thing is in fact a mere sop; it is not a scheme. I have no doubt the original intention of the Government was to give the whole of the money to the rates; then they thought, and I do not blame them, they would be paying due respect to the general wishes of the Scotch Members in giving something to secondary education. I think, Sir, the sum is insufficient, but I protest against giving it to communities for secondary education when they do not desire it for that purpose at all. What should be done is to let Aberdeenshire have its £17,000 or £18,000 to spend either on secondary education or anything else that Aberdeenshire likes; to let Berwickshire have its £3,000 to spend on secondary education or anything that Berwickshire like. Now, Sir, I earnestly urge the Government to consider whether they would not be actually saving time if they brought in such a Bill for Scotland as was passed for Wales in the course of two or three Sittings. In the Welsh Act the County Council is authoritative, it gets all of the money, it appoints the Education Committee, and nobody is taxed for secondary education unless with the authority of the County Council. Counties can join in bringing forward a scheme, and the endowments of the county instead of being dealt with by a body of gentlemen at a distance are dealt with by the locality itself and afterwards submitted to the Charity Commissioners. Now, Sir, look at the advantages of that scheme; firstly, it

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is left to the County Council to say whether they will spend this money: secondly, let the House consider the advantage that arises in the matter of endowments. Nothing works worse than the turning over of whole endowments in Scotland to secondary education, because these schemes are made in Scotland by a body of gentlemen living outside the localities concerned. When the schemes are presented to Parliament, the objections to them are noted down by gentlemen who probably were never within a hundred miles of the place to which they refer. Now, Sir, if the House passed a Bill like the Welsh Bill, the locality itself would deal with these endowments, and any scheme that they might propose would have attached to it all the weight and authority of local public opinion. This would be very valuable in Glasgow and Edinburgh, which do not want to spend this money on secondary education. In Glasgow they have enormous endowments already. Glasgow and Edinburgh would be very glad to have this power, naturally they each like to be mistress in their own household, and they ought to be so. They ought to be able to spend their money on exactly what they know to be in harmony with local wants. That being so, the Government should meet, what I do believe, after having carefully listened to the Debate, to be the wish of the Scotch Members, by putting, at least, £60,000 and the £30,000 from the Universities into Sub-section 5, and then enlarging the two last objects to which the money might be applied from merely local rates to secondary education, and to every object to which this windfall, as some hon. Members have been pleased to describe it, can be applied. Now, Sir, several hon. Members, and notably the Member for North Aberdeen suggested several of these purposes, among them parks, halls, art galleries, and public libraries, wash-houses, and so on. Now, Glasgow does all this already, and when you apply the money in relief of public rates you do apply it to these purposes. Besides, there are the public baths and wash-houses, which are greatly appreciated and much used: most admirable establishments for laundry purposes,

where, at a charge of 2d. per day a poor woman can wash her linen in a laundry that, with all the requisites and accessories, would, if belonging to a country house, would cost some £200 or £300 to provide. The gas and water are in the hands of the community, whilst the poorest of the poor have the immense advantage of having the passages leading to their homes lighted with gas free, and can get an abundance of excellent water in public places. You may call this socialism. If socialism means working for the good of society I do not object to the name. You may call it communism. If communism means spending money for the common welfare, then it is a most desirable thing. Glasgow and the other great cities in Scotland, by using so well the money they have already got, have shown the House that they will use well any money they will get under this Bill, and if you want to secure that that money is well spent you can only do it by accepting the great principle of letting people settle for themselves what their local wants are, and giving them absolute command over their own resources.

Mr. PHILIPPS (Lanark, Mid): I have not heard anyone in this Debate attempt to answer the speech of my hon. Friend the Member for North Aberdeen, who showed to demonstration that indirect taxation comes very largely from the pockets of the poor, while taxation is paid by the rich. By this Bill the Government propose to take money obtained by the taxation of the poor and spend it in benefitting the rich. Now, Sir, no one Member of the House has attempted to answer, as I said, the speech of my hon. Friend the Member for North Aberdeen, and I think on the whole it was wise, because the speech of the hon. Member was unanswerable. The Solicitor General for Scotland did attempt to deal with it in one small way. It was said by the hon. Member for North Aberdeen that a number of small rate-payers would under the Government scheme only get something like a few pence—something under 1s., and the Solicitor General said he objected to treat the question of the relief of rates in that way, protesting that you cannot measure benefits of that kind by

pounds, shillings and pence. But, Sir, whatever benefit a man may receive in the remission of rates, surely he is entitled to measure it as a matter of pounds, shillings, and pence, and in no other way. Hon. Members opposite who spoke in favour of the Bill, say they believe the Bill to be a popular one, and if we are to judge by the circulars received from the Local Boards and Local Authorities, it seems to be very popular indeed. But, I am sure, Parochial Boards do not represent my own constituency in this matter. It is only natural that Parochial Boards should like to spend money which they do not raise by taxation; but look at the extravagance which is sure to occur if we introduce this principle of giving Public Bodies money to spend which they do not raise by taxation. Unless there is a check there is sure to be extravagance and waste. Hon. Members opposite have expressed their gratification that they are on the popular side in this matter. The Member for South Lanarkshire and the Member for the Stewartry perfectly enjoyed the prospect of at last having got hold of a popular question; but, Sir, I am not by any means sure that their view is the popular view. It may be popular with those who do not understand that they are taxed on their whiskey, and their tobacco, and their tea, to get back these few pence on their local rates. I should like the hon. Gentleman the Member for South Lanarkshire, when explaining this Bill to his constituents, to make a quotation from the speech of the Minister of Agriculture last year on the taxation of land. Here is what the Minister of Agriculture said—

“The occupier pays a certain sum for the use of the land, and in that sum are included the rates as well as the taxes. If the rates are high he gets less rent, and if they are low he gets more rent, and I maintain it would not be difficult to show that ultimately the whole of the rates fall on the landowner and on nobody else.”

Sir, in view of that quotation it is established that the Conservative Leaders admit that the relief of rates benefits nobody at all except the landlords. But, Sir, the Minister of Agriculture went on to say—

“I maintain if there is any question of altering the taxation of land, we claim with full justice, and can produce arguments

making good our claim, that we are entitled to a decrease rather than an increase of the taxation on land."

Sir, that speech was made last year, and the Government are now trying indirectly to reduce the taxation on land. If money raised by taxation is given to the relief of the rates, indirectly the taxes upon land are reduced. I have no desire to speak for anybody except my own constituents, but I should say that if there is any one thing on which the great majority of Scotchmen are united it is this—that the taxation of land ought to be made heavier than it is at present. That is the view taken by a very large section of the Scotch public, if not by a very great majority; and yet the Government by this Bill are indirectly relieving the burdens on land and taking taxes off the land. The Solicitor General twitted us the other night with not trusting the Local Bodies in which we professed to believe. But, Sir, everybody on this side has said the money should be given to the Local Bodies, to the Town Councils, and to the County Council to be dealt with according to their discretion, and it is the Government and not those sitting on this side of the House who are either afraid or unwilling to trust the Local Bodies. Now, various uses have been suggested for this money that is dedicated to the relief of rates. There are, for example, free libraries, parks, recreation grounds, where they are required, and in my own constituency I would suggest another object—namely, the establishment of free hospitals for accidents, a most deserving public object to which the public might most justly contribute. Most of all I would have liked to have seen some portion of this money devoted to starting a scheme of national pensions. We are nearly all opposed to this Bill for paying over the money towards the relief of local rates, and I do wish the Government would even now accept our proposals, and would give this money to the Town Councils, and to the County Councils to be dealt with by them according to their discretion.

*MR. C. S. PARKER (Perth): The hon. Gentleman who has just sat down, at the beginning of his speech, complained that no answer had been made

to the speech of the hon. Member for North Aberdeen. I confess, for my part, I have regretted that through this Debate there has never been present the one person from whom that answer should have come—namely, the Chancellor of the Exchequer. This Bill raises two questions on Second Reading, one a question of finance and the other a question of education. I think it very important that the House should understand others, if the Chancellor of the Exchequer is not here to say it for him, what is the plain and unmistakable financial policy of this Bill. I take that it rests upon this assumption, that the Imperial taxation of this country is, upon the whole, fairly distributed between the rich and the poor. If it is not so fairly distributed, certainly the fault lies as much upon this side of the House as upon that, because every year we have revised the taxation of the country, and always, in my recollection, in favour of the poor. But with that you have to combine the fact that local taxation falls exclusively upon land and houses, and that on the other hand the benefits of it do not accrue exclusively to the owners of land and houses, but to a certain extent to the general population. The policy of this Bill is to divide the money coming from taxes supposed to be fairly divided between the rich and the poor, and to apply that money to the relief of the poor, so that the part of the community which pay nothing or next to nothing in rates shall as taxpayers contribute for the purposes from which they benefit. And when we remember that in England, Wales, and Ireland, most of the money from the taxation to which Scotland contributes has been already so applied, it is tolerably obvious why the same principle should be applied on a similar principle under this Bill. Scotland must have its share; the only question is in what form will Scotland take its share. Three years ago the position was nearly the same. Scotland was then asked to receive her share of the grant in aid of local taxation, but the feeling throughout Scotland was not unanimous in favour of free education, and it was agreed that the money, instead of being applied for relief of the

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exclusively, should be applied for free education. If that was a right thing to do three years ago, may it not be a right thing now to meet the general wish of the people of Scotland by granting aid to higher education? Now I wish to add my appeal to the Government that they would consider in Committee on this Bill the giving of liberty to Local Bodies to apply this money at their own discretion. My right hon. Friend the Member for the Stirling Burghs intimated that if the Government saw their way to meet us on this point it might in some degree mitigate the objections to the Bill. And, in reply, the Solicitor General for Scotland I understood to say, without absolutely committing the Government—

“The Government were very anxious to meet the wishes of Public Bodies, and, therefore, they would gladly consider any proposition which reached them from those Public Bodies for allowing a certain measure of elasticity in dealing with the money which was to be applied to the reduction of the rates.”

Secondary education, as defined in this Bill, might be another object besides technical education, and it might be a subject for consideration in Committee whether we should not include still further objects. Perhaps I might be allowed to say a few words on the subject of secondary education. For my part I congratulate the Government and Scotland generally on the fact that this Bill is at least one step in advance. It is true that the money under the Bill is quite inadequate for a general scheme of technical education; and it is left rather vaguely to an executive department to manage. But the Bill marks a step of progress which is of special interest to me, because I happen to be a Member of a Committee charged by the Government with an inquiry into secondary education. We had an opportunity two or three years ago of hearing exactly what was wanted by those most interested. We took a great deal of evidence, and ventured to make certain recommendations, and of these perhaps the boldest was that there should be Government grants for secondary education. In this Bill it is distinctly laid down that there should be Government grants for secondary education.

Also the one definite proposal in the Bill with reference to the expenditure of these grants is connected with another recommendation of the Committee—namely, that there should be Government examination of these secondary schools, and leaving certificates to certify the progress of these schools.

MR. ESSLEMONT (Aberdeen, E.): Would the hon. Member allow me to point out that leaving certificates are limited to a very few schools.

*MR. C. S. PARKER: The question of extending leaving certificates to other schools is of course a definite question which I should be very glad to consider. The mode in which the Government propose to apply this new grant of £60,000 is very simple, it is by capitation grant to all schools which are willing so to make their arrangements that the average fee shall not exceed three pounds per head. But the Government evidently propose to retain, to a great extent, the fees at present payable, and which may be considered market prices as between the parents and the schools. And that leads to a difficulty more felt in this House than by those practically engaged in education, the difficulty referred to by the right hon. Member for the Stirling Burghs as to providing some free places. In the first place, I should like to know from the Government whether I am right in supposing that the free places they propose are such free places as were recommended by the Committee—namely, open to children educated in the ordinary schools, and who should be chosen according to their deserts. If that be so, I think it removes many objections that might arise if it were supposed that free places were to be given on the ground of poverty by Parochial Boards. The Lord Advocate mentioned the precedent of such schools as Eton and Winchester, where poor boys sit side by side with others who are paying full market price. But we need not look to England for precedents. Scotland has boys sitting side by side some of whom pay fees and others of whom do not. In old times it was the common practice for those who could afford it to pay fees, while others might attend school without paying fees at all.

And such is the practice in Edinburgh in the Merchant Company's schools and Fettes College, and in almost every large town in Scotland at the present time. I would appeal to hon. Members not to be dominated by an unpractical sentiment that it is against democratic equality that some children should be paying more and some less in the same school. If all the fees are high, the poor will be shut out; if all the fees are low, the funds of the school will be mischievously curtailed. I must express my satisfaction that secondary education is not to be recognised in secondary schools only, but also in rural schools throughout the country. But I see the Government do not propose to introduce it in every parish, and that they calculate on only 5,000 children in country schools. Nor have they said anything of secondary education in evening schools. In one thing it seems to me the Bill is most deficient—namely, organisation. The right hon. Gentleman the Member for Bridgeton suggests how that might be met. But I am afraid his suggestion is not at the present time practical. He proposes that the whole money should be simply placed at the disposal of the County Councils and Parochial Boards, and that simultaneously there should be a Bill for Scotland on the lines of the Welsh Intermediate Education Bill. But what works the Act in Wales is the large Imperial subsidy, whereas in Scotland we should be dependent for funds on Local Bodies each in their own district. However, it might at least be an open question in Committee in what proportions the total sum is to go amongst these Bodies, and, further, the Bill might give County Councils and Parochial Boards a wide discretion, and especially powers to apply the money to technical and secondary education.

*(7.47.) MR. MARJORIBANKS (Berwickshire): The speech of the hon. Member who has just sat down, and the operation of microscopic balancing which he has been performing, somewhat resembles that experiment of which you, Sir, were a witness on Saturday morning with regard to the metric standard. No doubt the operation was exceedingly interesting; but the uninitiated mind of the

ordinary Member will be totally unable to discover exactly what the hon. Member wants to be at, or which side he intends to support.

MR. C. S. PARKER: I am in favour of the Bill.

*MR. MARJORIBANKS: I am exceedingly glad to hear it, but I am not sure that any of my hon. Friends who sit around me would have arrived at that conclusion from the speech of the hon. Member. There has been considerable variance of opinion with regard to the attitude to be assumed as to this Bill. It has been said that Glasgow took a different view of this Bill to that taken by most of the Liberal Scotch Members of the House. We have recently had three speeches from Members for Glasgow, and I think a short examination of those speeches will show that the Government have little indeed to rely upon if they think they will get support in Committee from those hon. Members for Glasgow. There was the speech of the hon. Member for Blackfriars (Mr. Provand), who has not had his financial orthodoxy clouded by the savoury smell of the flesh pots of the Chancellor of the Exchequer. He has told us he would vote against the Bill, both on account of its principle and on account of its details. Then we had the hon. Member for the College Division (Dr. Cameron), who stated that he objected entirely to the principle of the Bill—that it was not a question of a principle being violated, but a question of how certain money was to be distributed. I think that was a very unfortunate position to take up, because I always understood the Second Reading of a Bill was the occasion on which you should take up the question of principle, and that, therefore, my hon. Friend would have been amply justified in voting against the Second Reading of the Bill.

DR. CAMERON: The right hon. Gentleman is misrepresenting me. I said this was a question of taxation and not merely a question of distribution.

*MR. MARJORIBANKS: This Bill never would have appeared before this House if it had not been that a principle was violated, and the whole Bill hangs upon the violation of that prin-

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ciple. Then the hon. Member for the College Division stated that he took exception to our criticism of the details of the Bill, because he said other Members talked a great deal about further aid to education in Scotland, but they in Glasgow did not want such aid because they had £800,000 of capital value of endowments in Glasgow. That, no doubt, is a very good argument so far as he is concerned; but I did not hear him follow that up by saying on the part of Glasgow that they repudiated their share of the £60,000. That would have been a very practical suggestion. But I should like to recall to the hon. Gentleman's mind the fact that in the year 1882, on the Educational Endowments Bill, he was one of a small majority of Members at whose instigation that Bill was considerably restricted, and who were the means of preventing the endowments attaching to certain districts in Scotland being made useful for Scotland generally; he took a parochial view of those endowments instead of a national view, and instead of doing something to make the endowments for education in Scotland available for the people of Scotland generally he did the reverse. I would call attention to a single Amendment in Clause 7 which was made, and which limited the scope of the section. The words were "to provide for higher education in Scotland," but the word "Scotland" was omitted, and the words "those localities to which the endowments separately belong" were inserted instead. Therefore, the scope of the Bill was much limited. But the right hon. Gentleman the Member for Bridgeton took up a position diametrically opposed to that of the hon. Member for the College Division, because, while condemning all the details of the Bill, he was absolutely the first Member who has spoken during these Debates who ventured to defend the relief of the ratepayer at the expense of the general taxpayer. He looked upon the ratepayer and the taxpayer as the same person, and said, "You are only taking gold out of the pocket of the taxpayer in order to give it to the ratepayer, therefore that is perfectly fair and honest." But that is exactly what we say is not a fair proceeding, and we find fault with this

Bill on account of it. We say you have no right to go to the taxpayer, who pays a certain proportion, and hand it over to a totally different body—namely, the ratepayers, from whom the money is levied in different proportions for different purposes. It is perfectly well known that to relieve the ratepayer must, to a large extent, relieve the landlord. Therefore, by a contribution from the general taxation of the country by this proposal—you are going to a large extent to relieve one particular class instead of the whole general body. For my own part, I have no hesitation in opposing this Bill, both on the ground of principle and on the ground of detail. The principle, I maintain, is a bad principle, and is bound to produce evil results. No Scotch Member, I am sure, can remember so much lobbying, log-rolling, and interviewing as there has been with regard to this particular Bill. We have been assailed by Parochial Boards, by School Boards, Town Councils, and County Councils; the Lobbies have been full of such deputations. Hon. Members opposite argue that that shows these various bodies are very much in favour of the Bill. I take leave to object to that idea altogether. As a matter of fact, there is only one matter that these various bodies are generally agreed upon, and that is, that the matter should be dealt with immediately, and that it should be made permanent. They naturally want to make sure of their money in a definite proportion from year to year. Then, with regard to other matters, so far from being united in one view, they are of many minds. School Boards, Parochial Boards, Town Councils, and County Councils have each wanted the money for their own purposes; it has been a general game of grab between these various bodies as to who should get the most money. I object to the Bill both on account of what is in it and on account of what is left out of it. This Bill actually confirms and stereotypes the existing state of things. Scotland, like England, ought to get ten shillings per head for her scholars, whether she gains or loses by such an arrangement, and not have her grant fixed by the number of attendances by

school children. Then there is the sum given for education of £60,000. That has been gone into at great length, but I think everyone agrees that that sum is much too small. There is the sum of £30,000 for the Universities—again a proper disposal of money, but not a proper disposal of this money, because we maintain that the Universities of Scotland are a national institution, and that it is from national funds these Universities ought to be supported. With regard to the £50,000 for Parochial Boards, we object to that sum, because we say Parochial Boards are not elected bodies, or are only so in a very small proportion, and that they are not bodies to whom the distribution of public money should be given. With regard to the £100,000 to Town and County Councils, we say it should not be confined to the relief of rates, but that Town and County Councils should have a free hand given them in the matter. I wish to point out that after all this gift of £100,000 to the Town and County Councils will not relieve the rates at all, but will only be the cause of greater expenditure. I pointed out on the First Reading how very small was the relief which would go to the individual ratepayer, and I was somewhat taken to task by some Edinburgh friends on the Corporation. They said they did not intend to apply the money to the relief of the rates, but to effect further improvements. That is not relieving the rates; it is putting money in the hands of various bodies to be used, doubtless, for proper purposes, but that will not relieve the rates. The general defence of the Bill by hon. Members on both sides does not rest on the merits; on the contrary, hon. Members have been most frank in saying that they dislike the Bill in most, if not all, of its details. The hon. Member for the Partick Division (Mr. J. P. Smith) made an excellent speech against the Bill, as did also my hon. Friend the Member for Peebles and Selkirk (Mr. Thorburn), who said if he had the distribution of the money he would treat it in quite a different fashion. But they all defended the Bill on the ground that it was the best that could be done, and that

it was in the nature of a compromise. It seems to me that to defend a Government Bill on the ground that it is a compromise is no great compliment to the Government that brings in the Bill. It is quite true that a compromise cannot be altogether perfect, but I maintain that this compromise is neither *totus teres* nor *rotundus*—it has neither perfection, smoothness, nor rotundity about it. If my right hon. Friend opposite really looks upon this as a compromise, I would suggest that he should be prepared to come to something like a compromise with us in regard to some of the details. If he will agree to some such compromise as I shall propose, he will find the passage of this measure much simplified and very much eased. There are, I think, three salient points to which exception has been most generally taken—first, the smallness of the sum for secondary education; next, the giving of public money to Parochial Boards; and, thirdly, the want of a free hand in dealing with the money that falls to them by the Town and County Councils. My suggestion to the right hon. Gentleman is that he should take the £50,000 which goes to Parochial Boards, and add that to the sum for secondary education, bringing the sum for that purpose up to £110,000; and that then—of course, I am not now going into the details of how the money is to be expended; that will require further consideration—he should add to the clause giving the money to Town and County Councils a rider which would leave those bodies free to deal with the money in such manner as they think fit. Or, if that were considered to give too much power to those bodies, it might be arranged that they should frame schemes for the use of the money, and that these schemes should be approved by the Secretary for Scotland. I make these proposals in all good faith, and I assure the right hon. Gentleman that giving his assent to them would greatly facilitate the passage of the measure.

(7.8.) MR. CALDWELL (Glasgow, St. Rollox): The Bill deals with an annual payment to Scotland of £265,000, representing a capital sum of between seven and eight millions, and it also deals with the important

Mr. Marjoribanks

question of secondary education. A great controversy has arisen as to whether these questions should be dealt with by Bill or Resolution of the House of Commons. The argument in favour of proceeding by Bill is that the Local Authorities would have a feeling of permanency in regard to the grant made in the Bill. This £265,000 is paid out of the Imperial taxation, but hon. Gentlemen on the other side have spoken as if it were a windfall to be disposed of as the Scotch Members desire. The money must be raised annually by taxation, and the universal practice of Parliament has been, when grants are made out of money raised by taxation, that the grants should be placed on the Estimates, and a Vote taken annually on the purpose to which the money is applied. That was the course pursued with respect to the Road, Police, and Lunacy Grants for years, and no one doubted the permanency of the grants if the money were really required. If, therefore, there is any feeling of insecurity among the parties interested, it is because they fear being able to convince Parliament of the necessity of voting the money from year to year. By proceeding by Bill you stereotype the grant, as was the case with the Lunacy and Police Grants, which were made permanent and stereotyped in the Local Government (Scotland) Act. In the Estimates the sum voted was proportioned to the expenditure, but since the amount has been fixed it has become utterly inadequate, and, as the Lord Advocate has admitted, £25,000 less than it would have been if it had remained in the Estimates. It is a principle that the House of Commons alone should have the power of determining from year to year how the money raised by taxation shall be applied, and the intention of the Government by this Bill is to deprive the House of Commons of its undoubted right to criticise the expenditure of the money, and to give the House of Lords a joint interest—a veto as it were—in the allocation of this money by the House of Commons. I object to that principle. The Government also brought in the House of Lords in the allocation of the Probate Duty in the Local Government Bill, and the Government argue that they

are doing the same now as they did then; that is to say, that they are following their own policy. Curiously enough, the Chancellor of the Exchequer has been the first to introduce a Separatist policy with regard to finance. His policy has been to divide the Imperial accounts into accounts for England, Scotland, and Ireland in the proportion of 80 per cent. to England, 11 per cent. to Scotland, and 9 per cent. to Ireland. This money having been ear-marked for Scotland, the question is how is it to be applied? It is a hard thing to say that the Conservative Party, which has only 12 out of 72 Scotch Members, should claim the right to legislate and permanently allocate by Bill this £265,000 of Scotch money. The Government are a complete minority in Scotland on this matter. There are, it is true, 15 Liberal Unionist Representatives for Scotland; but, whatever their individual views, the question of the allocation of this money was certainly not one on which they are called on to differ from the Liberal Party. We shall find that the Government will carry the Bill, a purely Scotch matter, against the wish of the Scotch Representatives. I decline to support legislation which in any way controls the absolute right of the House of Commons to dispose of money raised by Imperial taxation. Another objection I have to the Bill is that it introduces the principle of grants in aid of local rates; but I shall only refer to that to say that Glasgow has just promoted a Bill to alter the incidence of taxation by placing part of an improvement rate on the owner, while this Bill proposes to relieve property at the expense of the people. The grants lead to extravagant expenditure, as the Local Authorities use them for purposes for which they would not care to assess the community. It has been pointed out that the Bill takes the money from the poorer classes and relieves the wealthier classes. The Solicitor General for Scotland (Mr. A. G. Murray) said that as the money came from the Probate Duty it did not come from the poorer classes. It does not matter what particular part of the Imperial taxation you apply to the relief of local rates—the result is the same. If the money voted to the relief of rates were retained

there would be a surplus of £7,000,000 or £8,000,000 a year in the National Exchequer, and the probable result would be that we should get a large reduction of taxation. The £265,000 a year is not, properly speaking, an Equivalent Grant for Scotland, but a grant from the Imperial Exchequer for the purposes of education; the object, therefore, of the Bill ought to be to encourage education. These grants have hitherto been capitation grants, and, as England gets 10s. per child in average attendance, Scotland is entitled to exactly the same treatment. The absurdity of the Government proposal is that in calculating the grant they did not take into account the school attendance at all, but they make the payment depend upon the amount paid to England, whether the attendance in Scotland is increased or not, and Ireland, which has more children to educate, gets only 9 per cent. as against Scotland's 11 per cent. Therefore Ireland, which is the poorest country and requires most help, gets the least help. The pecuniary result, so far as Scotland is concerned, will be the same whether we have 10s. per child or the Government proposal; but Scotland is entitled to be paid on results, and the greater the number of children the greater should be the grant, and the smaller the number of children the smaller the grant. There is also an unnecessary complication in the Bill, that which provides that any increment above the £265,000 is to go to the Local Authorities. I wonder the Government did not see the absurdity of introducing this complication, because the Parochial Board has to make up any deficiency in the school funds, so that if the sum be greater than £265,000 there will be just that amount less for the Parochial Board to assess. In consequence of the separation of Scotland from the rest of the United Kingdom the Government have been forced to adopt a certain forward policy in England. In consequence of the claim of Scotland for free education England claimed it and the Government were forced to provide it. There are important principles in this Bill, which, if given effect to in Scotland, will be claimed by England. The first is that the Government ought to subsidise

Mr. Caldwell

secondary education, and the next is that you introduce the principle of popular representation in all schools which get the benefit of the Imperial grant. This proposal was strongly resisted in the English Bill, but if it be adopted now it will be impossible to resist its application to England. The question of secondary education can be better dealt with in Committee than now, but most of the speakers from Scotland, including the Lord Advocate, seem to have proceeded on the erroneous view, that education in Scotland is merely elementary and as if secondary education were and ought to be something distinct from it. I would point out that the parochial schools prior to 1872 were schools which had secondary education as their object and aim, and they were the feeders of the Universities of Scotland. When the Education (Scotland) Act of 1872 was passing through this House and the House of Lords hon. Members were very jealous for this secondary education, and in that Act the word "elementary" does not occur; but there is a special clause to the effect that the standard of education in Scotland shall not be lowered. It is admitted on all sides that secondary education has been on the decline in Scotland. What are the causes of it? The cause is not the growth of elementary education. The Scotch Education Department, instead of carrying out the law, and giving the larger grants to encourage secondary education, give larger grants to elementary subjects and in that way make it to the interest of the teacher to abandon secondary education and devote his attention to elementary subjects, from which more money could be derived. In that way the action of the Department, which was a violation of the Act of Parliament, caused this falling-off of secondary education. There is also another reason. The policy of the Department has been to drive private enterprise almost out of the field. In Glasgow, in a radius of four miles, there is a population of 800,000, and yet there are only 800 children whose fees are paid by their parents. If you take away the secondary department from the ordinary public school in Scotland, the effect will be that you will lower the tone of the

public school and the prestige of the teacher.

(7.31.) DR. CLARK (Caithness): I do not know whether the Lord Advocate intends to say anything in the course of this Debate, but I think we have a right to know why we are not having a real and proper equivalent. We were told last year when a large sum was voted for England that an equivalent should be given to Scotland. This is not an equivalent, for we lose by it to the extent of £5,000, and Ireland loses to the extent of between £50,000 and £60,000 a year. Why should we not get 10s. a head on the average attendance in the same way that it is paid in England? I object to the Bill on two grounds—first, because I do not believe that the eleven per cent. Estimate of the Chancellor of the Exchequer is accurate. I will believe it when I see it in Committee; but when I find that for three Sessions running we have been promised a Committee and have not got it, I know that the Government do not want a Committee, and they do not want their facts examined. I say also that the Scotch Members do not accept this proposal as fair and accurate. We object that the less progressive country should determine the equivalent for the more progressive country. Scotland is passing on more quickly than England to the time when all the children who ought to be at school shall be at school, and we ask why should you tie the more progressive country to the more backward one? We want to know why we should be robbed of our £5,000, and why we should have our education retarded by the slower growth of England? We also want to know why you have adopted this system of valuation, and in that connection I will point out that in the northern counties of Scotland, where there are large districts of land which is not of much value, this will press very hardly, and they will not get a fair equivalent. For instance, if Caithness received this grant according to population instead of according to valuation, it would receive nearly 50 per cent. more. I must also make a protest with respect to this grant of £30,000 to the

Universities. Three years ago the Chancellor of the Exchequer brought in a Bill by which for a sum of £42,000 yearly we were to give a full quittance for the maintenance of the Scotch Universities and you will find in the Vote this year this sum is put down as a full acknowledgement of the duty of the United Kingdom to Scotland for the maintenance of the Universities. I voted against that, and I shall vote against this, because there is a principle involved. When Scotland entered into the Union there were three or four special institutions which we wished to be preserved, and amongst them was the Universities. When the Scotch Members came here first they had only one vote more than the County of Cornwall, and they made a treaty on behalf of these special institutions. The Lord Advocate the other day declared that to maintain these Universities meant their extension. That may be a clever quibble but it is not a fair argument. You undertook to maintain them and now you say it is a bad principle. But we shall not accept the proposal, and circumstances will soon compel the Chancellor of the Exchequer to take that insult off our Estimates and to bear honourably and fairly the burden taken over at the Union. If you were giving up education in England something might be said in favour of the argument of getting rid of Scotch obligations, but you have been endowing Universities all over the country. (Cries of "Divide.") Some of my Liberal Unionist Friends are calling for a Division, but I would remind them that this a matter of great importance, and if they wish to preserve the Union they should take special care that the obligations which were entered into at the time of the Union are faithfully observed. We hold that the maintenance of the Scotch Universities is a burden which you took over with poor unfortunate Scotland and you must carry it out, and I consider that the attempt of the Chancellor of the Exchequer to get rid of it was mean and contemptible and dishonourable. With reference to the other provisions I object to them all. I object to the scheme of secondary education because it leaves out technical and scientific

education, and it refuses to give a single penny to continuation or night schools. This money will go to the middle-class schools. The hon. Member for the College Division (Dr. Cameron) spoke of a way in which this Bill will affect Glasgow, and said that this money which he is most anxious to get will mean 2s. 6d. to every ratepayer in Glasgow. What are the real facts? The valuation of Glasgow is £5,405,000, and Glasgow's share of this money will be £14,203. That will be something like 1d. upon the valuation, but in Glasgow 76,435 of the ratepayers pay only one-tenth of the rates. That is because ratepayers below £10 only pay half-rates, and these people I have mentioned will receive only an average of 4½d. with a maximum of 8d. and a minimum of 3d. But those people who pay the rates will receive an average of 4s. 6d. which will begin at 1s. and go up to several pounds. To the landlords it will be a great boon, but to the working men who returned my hon. Friend it will not mean more than 4½d. I am glad to see that the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) is coming round on this matter, but I may say that in the county districts the proposal will not work at all. The people will be able to apply the money to the relief of taxes alone, and they wish to construct piers and harbours but cannot get the money. I do not wish to prevent the House going to a Division now, but we shall break down the conspiracy of silence when we get into Committee. The Front Bench now declines to say a word, but when we get the Bill into Committee we shall insist on full information being given.

(9.45.) Question put.

The House divided :—Ayes 169 ;
Noes, 111.—(Div. List, No. 66.)

Bill read a second time, and committed for Monday next.

SMALL AGRICULTURAL HOLDINGS

BILL—(No. 183.)

COMMITTEE.

Order for Committee read.

*MR. COBB (Warwick, S.E., Rugby),
in rising to move—

Dr. Clark

"That it be an Instruction to the Committee that they have power to insert clauses in the Bill creating Parish Councils by popular election for the purposes of the Bill, and confer upon such Councils initiatory powers of acquiring, selling, letting, and managing land for small agricultural holdings."

said: I have purposely limited the issue in the Instruction I propose, so as to make it a very narrow one. I do not go into the question of compulsory purchase or of leasing, or other controversial points. I will deal with the simple question, Is it desirable to create popularly elected Parish Councils with initiatory powers of acquiring, selling and letting land for small holdings? It is obvious that the success of any measure depending on the power of the Local Authorities to do with small holdings, allotments, or any kindred subject must largely depend on the authority which has to carry out the powers given by the Act of Parliament. The question is, which is the best authority? There arises, too, another important question, whether that authority should have control over a large area or over a small one? In answer to these questions we have some experience to guide us. We have the experience of the working of the Allotments Act, for, after all, the subject of allotments, so far as the area concerned, is similar in principle to the supply of small holdings. In the electoral campaign of 1885 the right hon. Gentleman the Member for Birmingham said in one of his speeches that whether it was five acres or ten acres, or 20 acres, or even more, it was only a question of degree: the principle was precisely the same. In fact there is no magic in acreage, and I think everyone will agree with me in this—that if the Local Authorities are fit to be trusted to take the initiative in regard to the supply of allotments, it is equally to be trusted in taking the initiative with reference to the supply of small holdings. As the hon. Member knows perfectly well, in the Allotments Act of 1887—and I am speaking now of absolutely rural and agricultural districts, with which I am far more familiar than with towns where there are County Councils—the authority is the Board of Sanitary Authority, or what is generally known as the Board

Guardians. I do not wish to raise tonight, in moving this Instruction, the question as to whether the Allotments Act has been a success, or whether it has been a failure—I have my own opinion as to that, and I have expressed it more than once in this House—but there is one thing that will be generally admitted, and that is, that the authority under the Allotments Act is not a satisfactory authority. I might quote the best opinion we have in this House upon that point, that is the opinion of the right hon. Gentleman the President of the Local Government Board. I remember that on the Second Reading of the Allotments Act Amendment Act in 1890 he distinctly said that the Board of Guardians had been proved not to be a satisfactory authority for administering the Act; and indeed the whole reason why the Amendment Act was brought in was because it had been proved over and over again throughout the country that the Guardians had not done their duty in the administration of that Act. When the Allotments Act of 1887 was in Committee we, who are sitting on these Benches, repeatedly pointed out that the Boards of Guardians would be an inefficient authority, and why? We urged—and I think it has been proved since to be true—that Guardians coming from different parishes which are not near each other must be ignorant as to the interests of the parishes except of that from which they are sent. It is impossible for Guardians under such circumstances to be competent to administer the Allotments Act. It is essential in all matters affecting localities that those who have to administer any Act should have local knowledge; and my own experience has proved that there is no matter which requires more accurate and more special knowledge than that of supplying land for allotments and small holdings. The land is naturally of more interest to the people living in the villages than any other subject. The whole lives of the labourers have been identified with it and spent upon it, and they have for years and years been longing that the day will at last come when they will themselves benefit from the land which they have cultivated with their own hands, by either renting it or owning some

of it themselves. Now how is this to be done? The right hon. Gentleman the Member for Midlothian, in the speech which he made in December, 1889, in Manchester, used these words in answer to the question as to how you are to enable labourers to get land either for allotments or small holdings:—

“You must go to the doors of the men who are immediately concerned. You must get from them, and from their immediate neighbours, the fullest advantage of local knowledge.”

I quite agree with that, and I say you will not get that knowledge from Boards of Guardians. It is not too much to say, without questioning the usefulness or non-usefulness of the Allotments Act, that it has proved that Boards of Guardians have not sufficient knowledge to enable them to carry out that Act of Parliament. In 1890 the hon. Member for Hornsey said, from the opposite Benches, whilst discussing the Amendment Bill which was brought in by the President of the Local Government Board:—

“There is no disputing the failure of the Act of 1887. . . . The causes of failure are the large area of the authority and the remoteness of the meeting place.”

I entirely agree with that. It must be evident that the class which is really interested in getting allotments is not represented on such Boards. How much stronger then must be the objections to the larger area of the County Council? The President of the Local Government Board quite recognised that when introducing the Allotments Bill in 1887. The right hon. Gentleman said in the course of his speech:—

“We think that the area of the county is too large.”

The hon. Member for Bordesley, in the numerous Bills he has brought in—and we thank him for the trouble and attention he has given to this question in past years, when it was not so popular as it now is—adopted not the larger authority of the county, but the authority of the Boards of Guardians, and where there might be District Councils he adopted that authority. Now, the District Councils would have the same area as Boards of Guardians, which has been proved under the Allotments Act to be too large an area. Therefore, we must have some smaller authority

for the purpose of administering the Acts, and it is clear that Parish Councils ought to be established. They could not be established in every parish, I admit. In one parish in my own constituency there is only one ratepayer and only five inhabitants, which consist of that ratepayer and his wife and children. It would be ridiculous to have a Parish Council in that parish. The question which will have to be decided one day, when a Bill has been brought in by a responsible Government for establishing Parish Councils, is, what shall be the minimum population which shall elect Parish Councils? Take the limit of 200 for the purpose of argument, although some think 300 would be better, and some would go higher than that. The hon. Member for Stamford (Mr. Cust), in an able speech which he made on the Second Reading of the Allotments Bill, compared the populations of parishes, and showed how difficult it would be to establish Parish Councils; but if you take the populations of other elective areas, the variations will be found to be quite as striking. Let me deal first with the populations in the Parliamentary areas for which there are only single Members. Cardiff has a population of 132,000, and there are many constituencies with populations over 100,000; but then there is Durham with only 15,200, Kilkenny with 13,300, and many others with populations under 20,000. The variations are, however, even more striking when we deal with the populations of Unions—that is, the areas presided over by Boards of Guardians under the Allotments Act. In the Union of West Derby the population is 444,000, whilst in Sedbergh it is only 4,000. Still more striking, as it affects this Bill, is the variation in the County Council areas. For instance, in Rutland the population is only 20,600, and in the Soke of Peterborough it is 36,200; whereas the population of the West Riding is 1,307,500, and that of Lancashire 1,768,200, and yet each of these elect a separate County Council. Therefore, taking the minimum as low as 200 for the Parish Council, there is no greater variation between the populations of parishes than of the counties which now elect

Mr. Cobb

County Councils. In regard to this matter the hon. Member for Hornsey, in his speech in 1890, said—

“The cry about the difficulty of small parishes is a mere bugbear.”

I will now deal with another objection which has been taken, as to the financial radius. It is quite clear that the Parish Councils in small villages would not be competent to deal with complicated financial arrangements, although I think the day will arrive when they will be just as competent as County Councils. It has not, however, been proposed, so far as I know, that they should do more than take the initiative in supplying allotments; the rating, borrowing, and financing should be done by the County Councils. The First Lord of the Treasury has said that it was not right that one authority should take the initiative in the supply of land, and that another authority should be called upon to finance it. These are his own words—

“If the rating area is large you can hardly give the power of administration to a small area.”

But I ask, why not? What is there that is unfair in giving the initiative for taking the land to the smaller authority, such as the parish, and rating the area of the larger authority, if ultimately any deficiency is allocated and charged upon the rate of the smaller area? At the present time, as the right hon. Gentleman the Minister for Agriculture will acknowledge, the County Council borrows on the County Rate under the Public Health Act for purposes the expense of which are ultimately borne by the parish; and under the Allotment Act the County Council or the Sanitary Authority can borrow on the Parish Rate. Now, why should not the parish initiate the taking of land, and the County Council finance it, and either borrow on the County Rate and allocate to the Parish Rate, or borrow direct upon the Parish Rate? This is a very complicated question of rating, and I will not go further into it until we get into Committee on the Bill. I have endeavoured to meet the two main objections to the establishment of Parish Councils—namely, the question of the variation of the population, and also the diffi-

lties with regard to finance. I should w like to ask why are the Tory arty so afraid of Parish Councils? hy does the Prime Minister out of his way to insult the labourers England by assuming that when they e asking for Parish Councils they are ly asking for them as a means of creation? He has said, in his sneer- g way, that he would recommend at, instead of their having Parish ouncils, they should have parish cir- ses. I think that is not worthy of so eat a statesman. Even the Chan- llor of the Exchequer sneers at Parish ouncils. He seems to forget that in 1871, when he was supposed to be a liberal, and when he made a great eech in this House, he stated over d over again that the parish was the oper unit for Local Government. he Bill he then introduced sought to ovide the machinery for the election Parochial Boards, which were exactly e same as Parish Councils. Again, ile standing for Edinburgh in 1885, der the wing of the right hon. Gentle- an the Member for Midlothian, he mphasised what he had said in 1871, d made it a great deal stronger. ow, however, that he is in the place ere he ought always to have sat, ly the last time he spoke of Parish ouncils, at Cambridge in October, he id—

Parish Councils are one of the fallacies by hich they" (meaning the wicked Radicals) ave beguiled the rural population."

think he will find, when the time es, that the rural population e not so easily beguiled as he nks. Then, too, the hon. Member r Stamford, in the speech to which I ve already alluded, said that if there re Parish Councils there would be excess of local knowledge, which ould stir up jealousy and parochial ad, and produce Communism in the lages of England. The Tory Mem- rs of agricultural constituencies bout denouncing Parish Councils, d say that they are only held out to e people as a sort of bait in order to ch their vote, but this has only pped to prove that their real objec- n to our Irish policy is not to me Rule in Ireland, but to Home le in the English villages. They not like the idea of giving up

the rule of the landlords and squ and clergy; and, therefore, in t Bill they would wisely, from t point of view, make the Cou Council the necessary authority. great objection which has been ur to Boards of Guardians is that t have no proper knowledge of, and sufficient sympathy with, the pec for whom they would administer Act, but that objection would ap even more to County Councils. I s published in the papers the other a list of chairmen of the Cou Councils. It showed pretty clea what class they were. In 21 ca they were Peers, in ten Baronets, most of the others were landowne Well, that does not open up a v pleasant prospect for the labourer obtaining small holdings. I beli that whenever the Bill comes to administered the labourers find that the County Coun are worse than the Board of Gu dians for the purpose in questi Why cannot a Conservative (vernment learn by experience? W will not they allow us to and help them to make this real and complete measure? Par Councils are as certain to come as of the reforms of the future. W then, make two bites of the cher Better swallow the whole thing at o and establish the Parish Councils n for the purposes of this Bill. It v be sooner over, and in the end th will be less sacrifice of principle. Noth would give more satisfaction th the establishment of Parish Coun There is no subject which in the l few years has advanced more stead in public opinion than that of Par Councils. They have the support do not say for this purpose—but t are supported for general purposes all those sitting on this side of House, including the Dissenti Liberals. They have the support o great many Gentlemen sitting on other side of the House. I think was in the discussion upon the All ments Act that the Member for Sou East Essex said—

"Parish Councils are the ultimate solu of the allotment question."

I have no doubt that is so, and t Parish Councils are the ultim

holdings question. The Member for Berwick for Newcastle, and by a gentleman who knows more about the matter than anyone in the House. Sir Charles Hall at Halifax, who has been successful in acquiring small allotments or small holdings, it was essential to give to Parish Councils the Member for Berwick confirmed the views of the Government, as part of the Labour Party and a revised programme, a very popular Local Government village in the country. On the subject of the President of the Board of Agriculture, some time ago, I moved a resolution, which was carried by a small majority. It may be the result of the question being asked rapidly than any other in the Government Instruction; but in any way to do so, the Government are about the issue, Parish Councils shall be asked for the purpose in the villages; the management of all their affairs, for their own benefit of the land which they, have rendered useful

(Mr. Bridge, Wisbech): In the Instruction, I am in favour of a representative of an agricultural body. I am perfectly satisfied that there is no other interest among the rural population than small holdings, and the Government. In Norfolk the area of the County Council is too large, and it is for these County Councils the duties arising from the provision of the benefit of those to advantage. It

is essential that the land to be taken for this purpose should be suitable; should be in a proper situation, and that the tenants who are to occupy it should be worthy men. I am perfectly certain that if this Act is administered through a central authority at a distance the work will not be as well done as it would be done by Parish Councils working on the spot and knowing the peculiarities of the locality. The large landowners and large farmers who are numerously represented on the County Councils are strongly opposed to this proposal; and if the administration of this Act is given to them they will certainly not do their best to give effect to its spirit. Whilst I am of opinion that the administration of this measure should in the first instance be with the Parish Councils, I am perfectly well aware it is necessary that there should be a right of appeal to the County Council. There is under the Allotment Act an appeal to the Local Government Board, and in the same way a right of appeal should be given from the Parish Council to the County Council. Sir, the whole tendency of Local Government at the present day is towards decentralisation; and what harm can there be in taking away from the County Councils those duties which obviously they cannot properly perform and giving them to local representative bodies? The hon. Gentleman the Member for the Strand Division, in his speech upon the Second Reading of the Bill, said we on this side were disappointed because the credit of initiating the measure could not be claimed by us. For my part, I cordially congratulate the right hon. Gentleman the President of the Board of Agriculture in going so far as to propose to institute small holdings, and I hope his effort will be successful. Speaking on behalf of a constituency that has as good if not better land than any other in England, I hold that there is a fair field for small holdings, and I feel that they will be taken up with avidity and worked with advantage to the country at large. I beg to second the Instruction.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to insert clauses

in the Bill creating Parish Councils by popular election for the purposes of the Bill, and conferring upon such Councils initiatory powers of acquiring, selling, letting, and managing land for small agricultural holdings."—(*Mr. Cobb.*)

***(9.16.) MR. LLEWELLYN** (Somerset, N.): The hon. Gentleman, in moving his Instruction, concluded his speech with a peroration intended for consumption outside. He tried to make this House believe that the question involved in this Instruction is whether the House generally agrees with the principle of Parish Councils or not.

MR. COBB: I said for the purposes of this Bill.

***MR. LLEWELLYN**: If the hon. Member imagines for a moment that it is possible in this Bill to introduce the question of Parish Councils, he is imagining what is an absolute impossibility. We are not called upon to speak on that point now; but I know of many parishes where Councils could be formed to do good work—I mean in parishes of sufficient size. I have tried to get some indication of what size the parishes should be capable of electing Councils. There is work that, in my opinion, could well be left to these Councils. I should like, for example, to see the care of the outdoor poor given to the parish. But the practical point I wish now to discuss is the financial part of this scheme, and I would ask if there is anybody who imagines that the Public Works Loan Commissioners or any other body would lend money to small parishes on such slender security as they could give? The Parish Council would meet in the schoolroom; it would be attended by 20 or 30 labourers; clerks would have to be appointed, a paid treasurer, an overseer, and assistant overseers.

MR. COBB: I said distinctly that I proposed that all financial matters connected with the scheme should be dealt with exclusively by the County Councils.

***MR. LLEWELLYN**: I dare say the hon. Member did. We have many of us devoted our lives to this question, and it is absurd for other hon. Members to come here to talk in an amateurish way, and to retail second-hand what they are told by other people. I had the honour of a seat on the Committee which inquired into this matter,

and my opinion is that unless the Treasury advances the money straight away there is no other body possible than the County Council. They must, of course, go to those on the spot for information. Under the Allotments Act, the Rural Sanitary Authority does not move one finger without consulting the parish, because the parish has to pay. I agree with the hon. Member that in purchasing the land for small holdings you must be dependent upon the parish for information. But the Bill will be inoperative if you leave it with the parish to carry out financial arrangements. They would not have the credit to carry it out. Our object is to make this Bill a practical measure, and to pass it in such a form that those whose duty it will be to carry it out will be able to do so successfully.

***MR. LEON** (Bucks, N.): As a new Member of the House, I ask the indulgence of the House for a few minutes whilst I make a few observations upon a matter which is of great importance to a rural constituency. I am not going to follow the hon. Gentleman who has just sat down in his remarks as to the question of finance, for I distinctly understood the hon. Member below me (*Mr. Cobb*) to say that the County Council would have the control of the finance, and that the Parish Councils would merely have the duty of obtaining land for the rural labourers and others requiring it. It is, Sir, because I represent a constituency which is peculiarly interested in this very important question that I desire to say a few words. Parish Councils should be elected not only for the purposes under discussion to-night, but for many other purposes, and more especially to take up this Land Question for the benefit of those who desire land. Now, Mr. Speaker, it seems to me that the object of the Instruction moved by the hon. Member for Rugby is to show that the unit of local government shall be the Parish, and not the County Council, and it is because I strongly favour this view that I support the Instruction. A Parish Council would know the requirements of the parish better than the County Council, such as whether the application for small holdings was *bona fide*; whether to

meet the demand by purchase or by hiring; where land was most suitable, having regard to the landlord's preferences and the tenant's or buyer's requirements; the nature and value of the land and its recent cultivation, and it could more easily, more satisfactorily, and more equitably estimate the outgoing tenant's compensation. It would also know how much land each applicant could properly cultivate, and would be in a position to know whether the land, after it had been acquired, was being economically and successfully managed. It would, besides, be better able to prevent, owing to its local knowledge, the foisting of any poor, exhausted land upon the parish by impecunious landlords at a price beyond its market value; it would always be available on the spot to hear disputes and applications, and to determine the many points that will necessarily arise as to the management of the land. The applicants or holders of the land would have no hesitation in approaching their representatives forming the Parish Councils and telling them any of their grievances. These are the chief reasons why I support the Instruction of my hon. Friend. Now, Sir, I believe everybody in this House is in favour of passing this Bill into law, in order that the people may more easily obtain land. But, as a business assembly, let us, in the name of common sense, see that, in passing legislation, we are, at the same time, erecting machinery that is suitable for the purpose we have in view. I maintain that the machinery introduced by the present measure is not the best machinery for the purpose. And why? Because County Councils, as at present elected and chosen, would be overloaded with the work which really ought not to be put upon them. Their areas, as my hon. Friend below me says, would be too large, and it would not be possible for them to do the work. I will read to the House what the Spalding Commissioners said on this Small Holdings Bill on Friday week last. The Commissioners said—

"They have decided to petition the Board of Agriculture and ask that the authority to enforce the Small Holdings Bill should be the Sanitary Authority in urban districts instead of the County Council, and the Board consider they would be better able to deal with the requirements of the town than the County Council would be."

Mr. Leon

I quite agree with that. It shows, at any rate, that there is a decided opinion against the County Council being the body to administer this Act. In fact, speaking for the constituency which I have the honour to represent, I may say that they would be one and all—at any rate those who think the same as hon. Gentlemen on this side of the House—be very much in favour of having Parish Councils as the unit. Why should this House waste its time in passing a Bill into law which would be of no more use after it had been passed into law than the present Allotments Acts? And I maintain that these Acts are practically, to all intents and purposes, useless. The hon. Gentleman the Member for Bordesley (Mr. Jesse Collings) laughs. But that is no argument at all. Anybody can laugh, but that does not produce any effect upon individuals who are very much interested in this question. I have had some experience as a member of the County Council in Buckinghamshire as to the utility of the present Allotments Act, and the Chairman of the County Council on 11th February said—

"The difficulty of carrying out the Act of Parliament became more apparent the more they tried to act upon it."

Well, what is the use of wasting the time of the House passing a Bill which will have no more effect than that? Does the Government mean business or does it not? If it does mean business, at any rate let it try to meet the requirements of the people by giving those people who are going to benefit by the Act of Parliament power to put the Act of Parliament into force themselves, and not give to an almost foreign element like the County Council in some rural district, as regards the minor requirements of the villages, the ultimate putting of this Act into force. That is the first practical step, and because I desire good results from our labours I heartily support this Instruction.

*(9.35.) MR. GRAY (Essex, Maldon): One remark of the hon. Member who has just sat down I quite agree with—namely, that the House should treat this question with common sense. But it appears to me, if we are to act in accordance with common sense, we must try not to put the cart before

the horse, but the horse before the cart. If we, in a Bill of this sort, go into such a difficult and intricate question as the appointment of Parish Councils, it will be a case of putting the cart before the horse. I appeal to my hon. Friend who has just sat down, and who values common sense so highly, to consider whether this is a question in which we should undertake to set up so far-reaching an authority as a Parish or District Council? The hon. Member told us the opinion of the County Council of Buckinghamshire. I remember a few weeks ago our Radical friends were trumpeting about the country the great victories they said they had gained at the County Council elections. Now we are told that these County Councils, which are formed so much of members of the Radical Party, are not to be entrusted with a matter of this sort, because they know nothing as to what should or should not take place in connection with country life and so on. But, surely, if the County Councils contain such a large number of thorough-going common-sense Radicals, hon. Members opposite might put more trust in these bodies than they seem inclined to give them this evening. I do not know whether the hon. Member who moved this Instruction has paid much attention to the provisions of the Bill, for it seems to me that there are great safeguards in this Bill for the interests of the rural population, or the labourers as they are called in the Bill, being properly attended to. In the first place, the County Council is popularly elected. No one can dispute that. I see from the Bill one or more persons can approach the County Council on the subject of small holdings. Do not you think that wise? If one or two of my neighbours can go to the County Council and request them to make a thorough inquiry as to whether or not there is a demand for action, I fail entirely to see that there is any just cause of complaint as to the machinery which is set up in this Bill. I would ask the hon. Member for Warwickshire how many people he would have approach the County Council on a matter of this sort?

Mr. COBB: I want the County Council to do something when they are approached.

*MR. GRAY: First of all I am dealing with the merits or demerits of the County Council, and I wish to say a word as to how the County Council can be approached. I would ask the hon. Member for Warwickshire whether he will find any fault with this part of the Bill which enables one or two men in any village to approach the County Council on the subject? Is that progressive or is it not? One villager or one labourer, however humble their positions, can approach the County Council on the subject. What fault have hon. Members opposite to find with that so far? I ask them again, is it not in accordance with common sense? And is there any reason to suppose that the County Council, having been approached by one or two labourers in this way, would hesitate for one moment to try and get all the local information they could get from the village or district whence those one or two persons came? I am not sure whether it would not be a fair amendment to bring before the House when we get into Committee that the County Council might have power, as to the Committee which is talked about in this Bill, to inquire whether or not that Committee must be entirely confined to members of the County Council. I am rather afraid, as the Bill now stands, the Committee which is talked about in this section must be confined to members of the County Council. But, whichever way that may be, it seems to me if any hon. Member, when we get into Committee, likes to move as an Amendment that this Committee, which is to be set up in certain circumstances should consist of one or more persons outside the body of the County Council, that, at any rate, would be a fair point of debate. But whether the County Council should do that or not, everyone knows that they could and would claim the advice of practical people living in the localities from which the demands came. Considering the formation of the County Council, considering that one or two persons from the village can go to the County Council and make a claim, considering that they can then set up a Committee to inquire into the demand, and considering that the County Council would naturally, before they said "Yes" or "No," get all the

evidence they possibly could from practical men and labourers in the district where the demand came from, is there any real and substantial grievance in the proposals of the Bill? I rather think that the real purpose of the Instruction is to enable the hon. Member who moved it and his friends to go down to their constituents and say—"We proposed you should have such and such powers, but, of course, the Conservative Party would not listen to it."

***(9.44.)** **MR. STANSFELD** (Halifax): The hon. Member who has just sat down appears to think that there has been a want of common sense and common honesty in making the proposal now before the House, and he says the object of it is to enable the hon. Member who moved the Instruction and his friends to go to their constituents and say, "See what we offered you and what the Conservatives opposed." I should not call that straightforward conduct—it is such conduct as I have never practised, and the imputation of which I should resent either as regards myself or the hon. Member who moved the Instruction or his friends. I think the House is indebted to the hon. Member, and I will say why. I can understand why Members of the Conservative Party should sneer at the action taken by Members on this side of the House upon this question, for they do not want it to be mooted. But our contention is that the only thoroughly sound and permanently satisfactory method of dealing with this question of allotments is the completion of our system of local government by the constitution of minor and subordinate areas within which such a measure could be brought into operation. Whose fault is it that we have not got those areas? The Government brought in a measure of Local Government in 1888, and carried it by the help of this side of the House, and they would not have carried it by the help of that side of the House alone. Does any Member venture to dispute it?

MR. RITCHIE: Yes, I do, distinctly.

***MR. STANSFELD**: Very well, I will take the word of

own words on that occasion. Whatever doubts there may have been in his mind at first, he had seen reason to abandon them and to admit, as the Leader of his Party admitted, that he had received assistance from this side of the House in carrying that measure, and that he was indebted to us for our assistance.

MR. RITCHIE: Yes, Sir, I am sorry to interrupt the right hon. Gentleman, but there is a vast difference between that statement and the statement he first made. I acknowledged thankfully then, as I do now, the assistance which the Government got from right hon. and hon. Gentlemen opposite in carrying that Bill; but I never said, and was very far from saying, that we could not have carried it without their assistance.

***MR. STANSFELD**: I never accused the right hon. Gentleman of saying anything of the kind. I expressed my own opinion in that respect, and I did not presume to quote the opinion of the right hon. Gentleman. But I say, speaking my own opinion now, as I am entitled to do, that on those benches opposite there was very considerable opposition to the Bill; and the right hon. Gentleman admitted, as he says he did—and I do not mean to impute more—that he was indebted to us for our assistance in passing that measure. But as soon as he had passed the County Councils portion of the Bill, he dropped the rest, including District Councils, and all reference whatever to Parish Councils, or Parish Vestries, or any parish organisation. We appealed to him at the time to persevere and to have a little more patience and a little trust, saying, "We have supported you so far, and we will support you to the end;" but the right hon. Gentleman refused to do so. I am not blaming him for that, for these are questions of tactics, methods, and possibilities of time, and I have never doubted that he would have been glad to accept our offers of further assistance if he could have done so. As a matter of fact, however, he did not avail himself of them; and the Leader of the House at that time assured us that in the next Session, if possible, the subject should be taken up; but from 1888

whatsoever has been made by the Government to complete the scheme of Local Government. I say that, under these circumstances, the hon. Member for the Rugby Division was perfectly justified, and more than justified, in bringing forward this question; and it is not fair to say, and there is no ground for saying, to him that this is a clumsy and awkward way of dealing with the subject by introducing the creation of popular Councils into an Allotments Bill, because he has been forced to the adoption of that method by the fact that the Government have not redeemed their promises, and have not created a Local Government hierarchy which would have been sufficient, in his view, for the purpose. Mr. Speaker, permit me, in order that there may be no mistake so far as I can prevent it, to state what are our views, and I believe I can interpret them with fair accuracy, upon this subject generally. We hold that the County Council is the wrong authority for administering a Small Holdings Act, and I therefore cannot agree with hon. Gentlemen opposite that the County Council is the right authority, if you can have a choice of authorities in this matter. I am a member of a County Council. My County Council in Sussex is a thoroughly business Council, and I have a high respect for it; for we do not waste our time in speeches, but devote it to the transaction of business. I believe that Council would itself feel that it was not the fittest body for the administration of such an Act as this. The distance of the place of meeting from the outlying parishes of the county is a very serious fact, and want of local knowledge is another. It is perfectly true you may get that knowledge by deputy, but that is not the best way of getting knowledge, or of applying it. Is it not evident that the best way of dealing with the subject is to begin with the small area, and constitute an authority for the small area if you can, so that you may have the initiative based on local knowledge of the wants of the people, the character of applicants for small holdings, and the nature of the soil and its adaptability to the wants of the people who wish to occupy it, and the price which ought to be paid for it? Such a body should take the initiative, and leave

the higher authority of the district, or the County Council, to judge of the financial proceedings. An hon. Gentleman sitting opposite to me said that the parish would have no credit; but I cannot admit that proposition, because a parish has credit and does raise loans.

MR. LLEWELLYN: I was speaking of poor parishes.

*MR. STANSFELD: In that I should entirely agree. We all agree that the smaller parishes should be amalgamated, and I have always said that some of these parishes would be too small for representative bodies, and I should prefer open Vestries, with power of appointing committees if the work would be better done by committees than by the Vestries themselves. I say, therefore, that you should take the Parish Council as the unit of local authority, and give it the initiative in dealing with this subject of allotments. It is stated that it must be financed by the County Council, but the County Council would hesitate to finance it if it had got no credit. Has that never occurred to the hon. Gentleman opposite? I do not believe that it would be felt to be the duty of County Councils to finance small and poor parishes which have no credit. Well, suppose you begin with the parish, largely interpreted as I have endeavoured to interpret it, there are certain things which must be borne in mind. There must be, first of all, an appeal for those who want allotments when the Parish Authorities refuse to obtain them; and there must also be an appeal for the landowner or farmer to some superior County Authority against the Parochial Authority. If the Parish Council from personal or Party motives should make victims of the landowners or the farmers, and take land from them when land could be taken elsewhere with greater fairness which was as fit for the purpose, I should say that would be an ill deed on the part of the Parochial Council, against which there ought to be an appeal to some superior County Body. All I maintain is that the principle should be accepted that the small area is a fit area for the administration of the Act, and, therefore, I hold that my hon. Friend has done good service in bringing this question before the House. The true remedy, in my opinion, and in our

opinion on this side of the House, is the completion of the system of Local Government. As soon as you have a hierarchy including the parish, the district, and the County Council, you will have no difficulty whatever in taking the initiative steps, and you will have no difficulty in securing an appeal from the Parish Council, it may be, to the next grade, or straight to the County Council. At any rate, you will have the whole arrangement devised, constructed, and existing under which you may proceed with the greatest facility. We have been told it is impossible and absurd to attempt to set up Parish Councils in this Bill. I do not say it is easy; but again, I ask, whose fault is that? As I said before, it is not the fault of my hon. Friend, who makes the best of circumstances, and proposes to devise Parish Councils for this purpose. I do not believe you will say that it would be impossible to do so, and I do not think it would be very difficult to do so. It only requires patience to discuss clauses to carry it out, and that patience would not be wanting on this side. I think it is a fair proposal which might well be considered by the Government. I hope I have succeeded in showing that we have had a ground for the course which has been taken, and that the best possible method would be the perfection of that system of Local Government towards which we have been looking vainly for so long, and that, if practicable, it would be well worth while, even at this moment, to attempt an instalment of that future perfection by the construction of Parish Councils, which should have the administration of these allotments.

*(10.2.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford) : I rise, Sir, for the purpose of pouring oil on the troubled waters, and I am bound to say that the right hon. Gentleman displayed somewhat unnecessary heat with regard to the hon. Member for Essex (Mr. Gray), who said nothing to deserve the attack made upon him. The right hon. Gentleman complained altogether of the authority which is proposed for the purpose of carrying out this Bill. He says that an authority presiding as it does over so large an area is quite unfit for

Mr. Stansfeld

the purposes and duties with which it is to be entrusted. That, of course, Sir, is an opinion which the right hon. Gentleman is perfectly entitled to hold; we are also entitled to ours; and having given some thought to the subject, we have arrived at the definite conclusion that, under present circumstances, the County Council is the proper authority. But the right hon. Gentleman was not satisfied with that; he proceeded to attack my right hon. Friend the President of the Local Government Board (Mr. Ritchie), because these authorities were not already in existence; and "whose fault was that?" said the right hon. Gentleman, shaking his finger at my right hon. Friend. My recollection is that the Local Government Bill which my right hon. Friend introduced made ample provision for the creation of Local Authorities other than County Councils; and if the right hon. Gentleman will carry his recollection back to the torrent of eloquence on every conceivable subject from hon. and right hon. Gentlemen on that side during that Session, I do not think he will find much difficulty in discovering the reasons which compelled my right hon. Friend, towards the close of the Session, greatly to his regret and to the annoyance of the Government to which he belonged, to drop these clauses for the purpose of carrying his Bill. I think the right hon. Gentleman is treading on somewhat dangerous ground when he asks whose fault it is that these authorities are not in existence already; for, unless my memory greatly deceives me, the Government of which the right hon. Gentleman was a most distinguished Member year after year, and three years in succession, announced its intention, in the Gracious Speech from the Throne, to introduce and carry measures for this purpose, and I am unable to recollect that it ever took a single step to give effect to that promise. Now, Sir, I pass from the right hon. Gentleman—I hope I have said nothing unfair in reply to his observations—to the subject more immediately before the House.

MR. STANSFELD: Nothing unfair at all. But if I may be allowed to correct the right hon. Gentleman, the only part I had in the matter was the

passing of the first of an intended series of measures—a Rating Bill. I had no chance of doing anything more.

*MR. CHAPLIN: The right hon. Gentleman was a Member of the Government which at that time made the promises and failed to carry them out.

MR. STANSFELD: No; I was not a Member of that Government at all.

*MR. CHAPLIN: Then I apologise to the right hon. Gentleman; I thought he was a distinguished Member of every Liberal Government since I have been a Member of this House. I think it is unnecessary to point out to the House that it did not even need the speech of the hon. Gentleman who made the Motion to show quite clearly to the House what its effect must necessarily be. It deals with a question which I acknowledge is extremely important, but a question which is entirely separated from the measure immediately before the House. What the hon. Gentleman proposes and asks the House to embark upon at this moment is another and a most important step, a further and large development of local self-government. That is a question on which everybody knows the views of the present Administration, because my right hon. Friend at the Local Government Board has on one occasion—and, I think, on more than one occasion—in this House announced the intention of the Government, on a proper and fitting occasion, when opportunity arises, to deal not only with the question of District Councils, but the question also of parochial reform. But I think it must be evident that the Government, whether it be Liberal or Tory, must decide, and they alone, what is to be the order of their business, and which kind of business is to take precedence over the other. As regards the Instruction of the hon. Member, I am bound to say it is not a question which ought to be tacked on as a kind of offshoot to another proposal entirely different from it, such as that which I have had the honour to introduce to the House, and which would, in my judgment, if we accepted the Motion, be entirely swamped by it before the end of the Session. I am not going to make any reflections on the hon. Gentleman or his intentions,

but it must at least be evident to the House that he knows perfectly well that the subject with which he asks us to deal and to tack on to this measure is one of enormous dimensions. We have absolute proof of his views before us at this moment, because he has himself introduced a Bill on the subject. I have looked at this Bill, and I see that the acquisition and sale of land in small portions is dealt with; but the hon. Gentleman found it so large and intricate a subject that he has been obliged to devote 41 or 42 clauses to the consideration of the subject. The Bill which I have introduced to the House for the provision of small holdings is, comparatively speaking, the most modest measure in the world; it contains only 18 clauses altogether. Then the hon. Member, by way of lending most able assistance in the matter which I have so much at heart, comes forward with his proposal which involves the addition to my Bill of a measure containing no less than 40 clauses. The hon. Member has not had a very long experience of this House, but he has been a Member long enough to know that the way to get a Bill passed through the House is not to encumber it with an enormous addition of that nature. As to what may be the hon. Gentleman's views with regard to the Small Holdings Bill I offer no opinion; but it is a measure which I am sincerely desirous and anxious to pass into law, and on that ground alone I am afraid I must oppose the proposal of the hon. Member. As to the merits of the question of Parish Councils being more appropriate for dealing with such a measure, it is not necessary now to enter, but my hon. Friend behind me spoke of some difficulties connected with finance. The hon. Member for Warwickshire (Mr. Cobb) proposes, so far as I understand, that the County Council should finance the Councils and raise money on the county or parish rate just as they please. How much are they to raise? Does he agree with the limit of one penny which is proposed in the Bill, or is he prepared to go a good deal further? I think the ratepayers of Warwickshire will probably be glad to know something more of the hon. Member's opinion on this point. Of course, the hon. Gentleman is perfectly well aware that a penny

rate on a parish would be utterly useless for carrying out the Bill. If the hon. Gentleman is prepared to go to the extent of an addition of 1s., 2s. 6d., or even 5s. to the parish rate.

difference. I complain of the way in which the right hon. Gentleman has misrepresented—if I may say so—the whole meaning of the Instruction of the hon. Member for Warwickshire (Mr

and be merely transplanted in our old age to London; our whole lives may have been spent in observation of agricultural questions, but if we are not large landowners, with large rent rolls, we are told that we know nothing about the wants of the agricultural labourers and agricultural questions. The Government scoffed at our warning when we told them that the machinery of the Allotments Act was useless, and they have had to change it. We warn them now that though the County Councils are a better machinery than the Boards of Guardians, yet that they must somehow or other get into touch with the parish, and if you do not accept our warning you will assuredly have to come to Parliament (if you are still on those Benches) for power to alter your authority. If you have all the knowledge you have no excuse. You know what the people want. You were told that at the Ely and Shrewsbury conferences. You had it dinned into your ears over and over again that the people want Parish Councils.

MR. CHAPLIN: No, no!

*MR. WINTERBOTHAM: I will undertake to find in the newspapers the records of half-a-dozen agricultural labourers, who got up and said boldly, undeterred by the Peers and landowners, they wished for Parish Councils.

MR. CHAPLIN: What about the other side?

*MR. WINTERBOTHAM: I do not know about the other side. I am speaking of the utterances of the few genuine agricultural labourers whom you imported into your conferences. We have told you frequently that we will never be satisfied until there is an initiative in a popularly elected Parish Council, and if you choose to leave with us the task of crowning the edifice, which you are so worthily beginning, it will be to our Party advantage, and to your Party loss. No one has ever suggested that Parish Councils should have the power of borrowing public money on their own initiative. It is only suggested that they should have the power to lay before the County Council their requirements, and the Council, if they approve, and after full examination, should borrow the money, and that, I think, is perfectly safe and

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reasonable. But we are continually told that we have got Parish Councils; that there are the Vestries who will be able to approach the County Council on the matter. Approach; yes, you can call spirits from the vasty deep, but will they come? You must remember that the County Councils are told by your Bill to decide in the first instance whether the Act is to be put in force at all in their county or whether it is not; and if a County Council decides that it will have none of your Act, what then becomes of the approach of the parish, with whom we wish the initiative to lie? What guarantee have we that the County Councils will not take this course? I think from what we already see the inference is that some of them will. I do not agree that this Instruction of my hon. Friend raises the whole question of Parish Councils. We shall raise it before long, but we do not raise it to-night. We are most certainly going to raise the whole question in the near future, but all we ask you to do to-day is to take Clause 16 of your own Bill as your model, and give us some authority other than the County Council which should make use of the knowledge, and give utterance to local aspirations and local needs of the poor labourers for whom you say your Bill is intended.

(10.25.) MR. JESSE COLLINGS (Birmingham, Bordesley): The question we have to consider is what will be the best for the rural population in carrying out this Bill. Then we have to consider whether the proposition of the hon. Member for Rugby can be carried out with safety to the passing of this Bill, and whether if carried it will be good or bad for the rural population whom this Bill proposes to benefit. The right hon. Member for Halifax (Mr. Stansfeld) spoke very warmly about the completion of county government, but he knows the time that that subject will take, and I wish to know whether he would postpone this Small Holding legislation till this great scheme is completed? The right hon. Gentleman (Mr. Stansfeld) made one statement which made me think he had not studied the Bill. He stated that a County Council would charge a parish for the sums spent in the parish and debit it to a small area.

The Bill expressly says that the cost shall fall on the entire community, and if hon. Members wish this Instruction for Parish Councils to be carried out and with it the financial liability, they will strike a great blow at the poorer districts. I was agreeably surprised to find that Her Majesty's Government has been so liberal. They are more liberal than Members on this side of the House; they are not creating a sort of Newcastle programme, but a practical measure. I think a feature of this Bill, which calls for special commendation, is that which uses the credit of the whole county for the benefit of the poor districts. If they relied on their own credit they could not get the money, and I would ask the hon. Member for Rugby how he could expect to borrow money if he said he was only liable for the deficiency. I am astonished at the crude proposals of the hon. Member for Rugby, and it seems to me that the 9th clause provides, at all events, something of what he wants. I think, first of all, it is impossible if we do carry this Bill through that such great proposals can be embodied by means of a few clauses in a Bill dealing with an altogether different question; when we know by this Debate, and by the Debate of last year, what a complicated difficult question it is. And then, forsooth, we are to take that difficult question and graft it by means of a few clauses on a Small Holdings Bill. Therefore, the hon. Member for Rugby said, "Let us but consider what the issue is." According to his mind it is for or against Parish Councils. But let us also see what the issue is. The issue is a Small Holdings Bill or no Small Holdings Bill; the issue is whether we shall take this Small Holdings Bill with the only authority available at the present moment, or whether we shall seek to introduce clauses which cannot possibly be carried; and so by a side-wind to kill the Bill. And I venture to say with all respect—I say it with great respect, because I am anxious in the interests of the labourers to get this Bill—and I say, what the hon. Member for Rugby will not deny, that if this Instruction is forced on the Government, I challenge any Member on this side to deny that the Bill will have to be dropped for this Session at least. Even if it were to be carried, I suppose

Mr. Jesse Collings

a Boundary Commission would have to be set to work to re-arrange the parishes, and the County Councils would take at least a couple of years before that could be done. Altogether it is a separate, a distinct, and a great question, this county government; but a question altogether separate and apart from the question we are considering. I have always been for Parish Councils for certain things which I know perfectly well they can do; but there are certain things which I know it is impossible for them to do. The right hon. Gentleman the Member for Halifax will admit that Parish Councils are not good for sanitary matters; the area is not large enough. I have studied closely Communal Parochial Councils as we may call them, and the result of their sanitary arrangements has been such that it can only be paraphrased as the nastiest business that you can find in all Christendom. Only last year I was in Switzerland where I saw two parishes in one of the Communes at law. One of them positively stopped up the whole of the outlet of the drainage of the neighbouring parish; and there was no possible exit for it until the question between the two parishes was settled. I am aware that there are a number of things which could be appropriately managed by Parish Councils, but sanitary matters are not of the number. If you wanted a warning you might take the School Boards. If you want to find defective schools, where the Board of Management have only one idea, that of keeping down the rates, and where they care nothing for education, go into the School Boards of small parishes, and you will find there that it is an area too small for the management of that particular business. As sanitation, so education, and I venture to say if there is one question more than another that is not for the benefit of the number to be benefited, that is not suitable for the small area of parishes, it is the question of small holdings. Allotments are different things altogether, because you only want a few acres of land for allotments. Here you want large areas to cut up into farms up to 50 acres in extent, and therefore it is in a very different category. I am very anxious for the sake of the labourers that we should not

create this difficulty in the way of the carrying out of this Bill. Take the size of the parishes; take the hon. Member's own county of Warwick. There is one Union, and I notice that of 22 parishes 13 of them are under 500 inhabitants, nine under 300, and five under 100, and some of them as low as 58 persons. Well, the rateable value in some of these parishes is under £500, whereas the rateable value of the whole Union is above £100,000, and I want to use the credit of the wealthier area for the benefit of the smaller areas. If you take Wilts, for instance, you will find in one Union, where there are 30 parishes, 18 are under 500 population, 14 are under 300 population, and four under 100 population. And so, if you go through all the agricultural counties, you will find the same result. Now, I do not anticipate that there is a difficulty in grouping parishes, but if you group them sufficiently you come into District Councils, and there is no difference between the Government and the right hon. Gentleman the Member for Halifax. What he has alluded to is the avowed object of the Government, which I hope, in the interest of county government, will be carried out; but if we have to wait for this plain and simple Small Holdings Bill till we see that carried out, why we shall have indefinitely to postpone the realisation for a Small Holdings Bill at all. I am anxious to get a Small Holdings Bill, and I will tell my hon. Friend why: Because if we do not get it now, I am not sure when we are going to get it. I am pretty certain we shall get reform in county government complete in itself, some time, but I am not sure when we shall get a Small Holdings Bill. There is no doubt this Small Holdings Bill will disappear if this is fastened on to it; and all the country will see how impossible it would be to carry through a great Bill if something foreign to it is to be fastened on to it. Therefore, I am anxious this Session to see passed this Small Holdings Bill. After waiting so many years for this legislation, now that we have got it at our doors I am afraid hon. Members are so fond of it that they are going to smother it in their embraces. I am aware that the wish, for Local Government, District Coun-

oils, and parochial reform, which is in the immediate programme of the Government, could have been realised last year or the year before; but that has not been done, and it is evident, if we listen to right hon. Gentlemen and hon. Gentlemen on this side of the House who are in such a hurry for a Dissolution, we shall not be able to get it this year. But the Members of the Government have already announced their intention, and it has not been carried out. With regard to the previous Government, for three several years the right hon. Gentleman the Member for Halifax, the House will remember, had a Bill down for the reform of county government; and he was unable to find time to do anything with it. The present Government, at any rate, has done the big frame work—the top and most important part of it—that is a very good beginning; call it foundation if you like. But it seems to me that it is the very biggest measure of administrative reform that we have seen in this generation. I was surprised to hear the hon. Member for Rugby, and I think my hon. Friend behind me (Mr. Winterbotham), and one or two other speakers, criticise these County Councils, and say they were not going to do anything—that they were not going to adopt this, that, and the other. What has become of your popular representation, your household franchise, and vote by ballot? The complaint really is that the people do not return the men that hon. Members would like. In the interest of the labouring population, and for the sake of getting this Bill, and being anxious not to see it defeated by a side wind, while being quite in favour of Parish Councils for doing the work for which Parish Councils are fitted, I shall vote against this Resolution.

*(10.43.) **SIR W. FOSTER** (Derby, Ilkeston): Some of us are equally anxious, with the hon. Gentleman who has just sat down, that this Bill should be made into the best possible Bill for the rural population; and when the hon. Member asks the question what good the introduction of parishes into this Bill could do, I have no hesitation in answering him that, in my opinion, the introduction of parishes in some form

or other would be the best thing that could be done for the labouring poor in the rural districts. We believe that the parishes would know a larger amount about the needs of the population, about the character of the applicants, and about the lands that they would be placed upon, than any body sitting at a distance such as the County Councils. We do not propose by this Instruction to force on the right hon. Gentleman who has charge of the Bill, the re-organisation of the whole structure of parish government. But we do ask him to have some power given to the parishes in the initiation of the working of this Act; and my hon. Friend who has moved this Instruction has specially put in the word "initiatory," in order that it may indicate that it has been our wish that the parish should perform nothing more than an initiatory act in introducing benefits which this Bill was intended to confer on the labouring population of the rural districts. The hon. Member has also referred to this Motion as one intended to postpone or retard the passage of the Bill. It seems to me to be better sometimes to postpone or retard the passage of a Bill than to pass a Bill that will not work when it is passed. The House may recollect that in the case of the Allotments Bill the same kind of language was used in the same quarter. Then the question was: an Allotments Bill or no Allotments Bill? We got the Allotments Act, and what was the result of it? The right hon. Gentleman the President of the Local Government Board had to bring in another Act to try and make the first Act work. We do not want the Small Holdings Act to be in the same position. We want to have it put in the best possible form at the earliest stage, in order that we may be in a better position to bring home to the rural population the benefits contemplated in the Bill. In this Bill the House has an important extension of the Allotments Act. The best portion of the Bill is that which creates the holdings from one to ten acres. What I am most anxious about is that this Bill should be made as effective as possible in the interests of the rural population, and to accomplish this the body to be charged with the carrying out of the Bill should be

Sir W. Foster

in sympathy with the rural population. The Rural Sanitary Authorities have shown their unwillingness to carry out the Allotments Act. It is for this reason that we desire to bring the parishes into the working of the measure, and it would become more acceptable and useful if the right hon. Gentleman would consent to the present Instruction. It is, I believe, the only way in which the Bill can be made workable.

Question put.

(10.48.) The House divided:—Ayes 151; Noes 178.—(Div. List, No. 67)

(10.57.) MR. STEPHENS (Middlesex, Hornsey), in rising to move—

"That it be an Instruction to the Committee that they have powers to insert Clauses in the Bill providing that, on the petition of an Urban Sanitary Authority, or of the Vestry of a rural parish, or of Vestries of two or more rural parishes jointly, to the Council of a County within which the district of an Urban Sanitary Authority, or such rural parish or parishes, is or are situate, the County Council may make an order empowering such Urban Sanitary Authority, Vestry, or Vestries, to exercise powers of acquiring, selling, letting, and managing land for Small Agricultural Holdings by voluntary arrangement with the owners thereof, subject to approval by the County Council."

I said: My Motion is a very different one to that which has just been decided, and it is of a much more modest character. For some time past there has been on the Paper a new clause which set forth fully and precisely the machinery by which I propose to carry out my Instruction. The object I have in view does not go beyond the scope of the Bill, and the machinery to carry it out does not displace any portion of the arrangements of the Bill as it now stand. My suggestion, if adopted, would merely provide additional resources to those existing in the Bill; the machinery to give effect to it would be wholly at the discretion of the County Councils to adopt, reject, or ignore as they think best. It seems to me that the machinery of the Bill is placed at the top, whereas, in my opinion, it should be incorporated and developed more symmetrically throughout the framework. The authority of the County Council is too remote. From my own experience of the Middlesex County Council is that, although there are a large demand for allotments,

as been only lately that an Allotments Committee has been formed. The Committee has not yet met, and there has not been any application made to it on behalf of the labourers. Therefore, I submit that there should be an authority of some kind created which would enable the inhabitants to take counsel together, to shape their proposals, and to gather confidence, an element which is essential for the carrying out of the important proposals contained in this Bill. There are many of the inhabitants whose life-acquired knowledge will be available, and that will go far towards facilitating and cheapening the arrangements that would have to be made under the Bill. We know very well that this measure has proceeded from an anxiety to arrest the depopulation from the rural districts. The Bill has been described as an experiment; but it is the kind of experiment having for its object the providing of land for the rural population and the arrest of the rural depopulation; and unless we are successful on this occasion, there will be no doubt be throughout the country a strong feeling of despondency. My proposal is, shortly, this: to enable parishioners to meet in Vestry; then they would make a proposal to the County Council, which the County Council would consider; and if they thought the proposal was reasonable in itself and a business-like proposal, they could delegate it to the Urban Authority or the Parish Committee. Then the Parish Committee would shape the scheme definitely and would bring it up to the County Council, where it would be considered at a meeting, notice of which had been given by advertisement several days previously, so as to invite objections and to secure these objections being properly considered before the County Council gave its sanction to the scheme. That would be a complete safeguard to the persons affected, as the whole thing could be relegated to the County Council for their sanction and approval; and, after hearing them, the County Council would sanction and confirm. Then, Sir, I provide that if the Parish Committee did not acquire the land within twelve months, or if in any way they did not appear properly to carry out the duties entrusted to them, it is reserved to the County Council to revoke their Order, and that

any property acquired shall revert to the County Council themselves.

I propose—and this is one of the points of difference between myself and the hon. Member for the Rugby Division—I propose that the County Councils should be elected by an annual meeting of the inhabitants interested. I am most impressed with that form of Local Government not only as having endured longest, but as having been the most successful of any which the country has seen. Another point of difference is, that I think the Parish Committee should not be elected for a fixed term, but only until their successors are appointed. In a small parish, where everybody knows everybody else, it is preposterous that parishioners should be asked to surrender their discretion, their judgment, their rights, and their liberties to the Parish Councils for the term of three years. I think that great danger would be likely to arise, especially in small parishes, from the arbitrary nature of the control that might arise. This is the most important, as it ought to be one of the most popular, of the safeguards. But they would have a great deal of unpaid service and service on the land without circumlocution, which would surely enable them to do the work cheaper, and they would be able to do much of it more efficiently and with greater satisfaction than a distant authority which must act through a large number of officials who would have no direct interest, whereas the inhabitants of the parish would have an immediate interest. In time the County Council might become a kind of landlord of petty holdings. By the plan no doubt the parish would have to pay, but it would get something in return for the payment. In the scheme as it stands under the Bill, parishes will have to pay, but they will get nothing in return for their payment. The parishes themselves will do as they used to do in olden times—seek their own condition from those natural conditions which incline them to seek to get together. It has been said that at a penny rate very little could be done. But, as the money can go further, the parish, so far as its resources are concerned, will get more for its money.

The average rateable value of a parish in Lincolnshire is £4,000, and a penny rate will supply 20 labourers with an acre each, or 40 with half an acre each. As the object of the Bill is to arrest the depopulation of the rural districts, I submit that the best way to arrive at that end is to fix the labourer upon the soil as a freeholder. It is only by diffusing the benefits of the Bill as widely as possible amongst the labouring population that the desired end can be obtained. I beg to move the Instruction which stands in my name.

(11.23.) CAPTAIN BETHELL (York, E.R., Holderness): In seconding this Instruction I would like to say that my hon. Friend who has moved the Instruction is not sufficiently sanguine. He suggested that the President of the Board of Agriculture is not likely to accept the suggestion, but I still hope the right hon. Gentleman may see his way to do so. My primary object in supporting the proposal is, I believe, somewhat different from that of hon. Gentlemen on the other side of the House. I look forward primarily to this; if we can create some machinery by which parishes can acquire small quantities of land, at a time not in the very distant future, will come when parishes will become possessed of the fee-simple of the land, and where the land will become a property which the parish can use for the benefit of the inhabitants. Objection has been taken that the parish will not be able to manage the financial part of the arrangement, but I am inclined to think there is no reason why the parish should not be able to manage its own finance. At the same time, I think the action of the parish should be submitted to the County Council for approval. Secondly, I think that the parish, ruling as it does over a smaller area, would be a body much more fitted for taking over and dealing with small quantities of land. I wish it to be understood that this is merely a supplemental proposal. The County Council will retain its concurrent power. I certainly entertain a sanguine hope that my right hon. Friend the Minister for Agriculture will be disposed to view this proposal favourably.

Mr. Stephens

Motion made, and Question proposed, "That it be an Instruction to the Committee that they have power to insert Clauses in the Bill providing that, on the petition of any urban sanitary authority, or of the vestry of a rural parish, or of the vestries of two or more rural parishes jointly, to the council of the county within which the district of such urban sanitary authority, or such rural parish or parishes, is or are situate, such county council may make an order empowering such urban sanitary authority, vestry, or vestries, to exercise powers of acquiring, selling, letting, and managing land for Small Agricultural Holdings by voluntary arrangement with the owners thereof, subject to approval by the county council."—(*Mr. Stephens.*)

(11.30.) MR. W. E. GLADSTONE (Edinburgh, Midlothian): The hon. Member who submitted this Instruction to the House was prudently anxious—and I find no fault with him on that account—to clear himself from any suspicion of complicity with those who sit on this side of the House in reference to the present Bill. He stated that his proposal was a more modest one than the proposal which had just been rejected, and I entirely agree with the hon. Member that his plan is quite distinct from our plan, for we reluctantly have arrived at the conclusion that no plan can be made thoroughly effective without introducing into it the element of compulsion. The hon. Member does not introduce the element of compulsion in any form into his plan, and he therefore vindicates his own character and his political orthodoxy by showing that he is not in the ranks of those dangerous politicians who sit on this side of the House. The question I now have to ask myself is not whether we can give up portions of our own distinctive plan in order to agree with the hon. Member, but whether, supposing our plan to be rejected, the Bill will be improved by the adoption of the plan of the hon. Gentleman. Now I have in my mind the melancholy anticipation that our proposition will be rejected by one of those commanding majorities such as was announced a short time ago. Therefore it is our duty as men of sense, if we have any sense, to look this question in the face, and to consider it as a man does when he has presented to him the alternatives of half a loaf or no bread. The hon. Gentleman fairly offers us half a loaf. I see no objection to the introduction of the voluntary plan of the hon.

Gentleman. The proposal I think does credit to him, and so far as I understand the development he has given to it in the clauses appearing on the Paper it fully sustains the spirit of the proposal itself. If we adhere to the principle of compulsion, it is not for any love of compulsion—it is from the somewhat sorrowful conviction that there are so many landlords in the country who are absent, who are ignorant or indifferent, or who are opposed to the objects we have in view, that we do not see that we can dispense with it. I, for one, entirely meet the hon. Gentleman on the ground that, so far as the voluntary principle will carry us, by all means let us act upon it. Now let us look at the proposition of the hon. Member. As I understand the matter, there are three points which are considered to be of vital importance by the great bulk of those who occupy these Benches. One of these is the establishment of Parish Councils, meaning by Parish Councils Councils which are essentially local bodies—essentially local—and having local information, as contradistinguished from bodies acting for the entire county. The second element in our plan is the point of compulsion, and the third point, and perhaps the most important of the three, and certainly in my view not the least important, is the introduction of a tenure less than a freehold. Now the hon. Member adheres to the voluntary principle, but distinctly he introduces two points for the attainment of which we on this side of the House are most anxious, and I cannot help cherishing the hope that to these points Her Majesty's Government may not be inclined to entertain any vital objection. The first of these is that there shall be some description of initiatory power given to bodies who shall be on the spot and well acquainted with the circumstances of the spot, so as to know who are the persons needing small holdings, who are the persons most competent to take them, and qualified by honesty, solvency, and character to make a good use of them. That is a knowledge which can only be possessed by persons on the spot, and the hon. Gentleman frankly makes us this offer by saying that the County Council may, on the application of the Sanitary Autho-

rity or Vestry, authorise the putting in motion such bodies possessed of local information and local experience. Then the hon. Member not only does this, but he adopts our view in all its breadth that a tenure inferior to freehold must be introduced into the Bill if it is to be made a Bill of any real value. As a Bill for the creation of a class of small freeholders I understand and appreciate it, and within its narrow limitations it will be of some value. I do not in any way desire to depreciate it in that direction, but it is not a Labourers' Bill. It should be called a Small Freeholders' Bill, not a Small Holdings Bill, for it contemplates no other small holders than freeholders. Let it not be supposed that we in any way grudge this creation of small freeholds, but these freeholds are unattainable to the great mass of the labouring population. Attainable they may be to certain favoured individuals in a village community—the village carpenter, the blacksmith, or other tradesman; the head keeper, the head gardener, or other head servants of the neighbouring landlord. To all of these the offer of a small freehold may be valuable, but to the labourer struggling to maintain his family from week to week upon the wage of the week the offer is almost illusory unless some inferior tenure to freehold be introduced. The hon. Gentleman proposes that the County Council may give power to an Urban Sanitary Authority or Vestry to acquire, sell, let and manage land for small agricultural holdings, so that under the aegis of the voluntary principle the hon. Member offers us these most valuable, most essential objects, and why should these objects be opposed by Her Majesty's Government? Surely they must agree that what we want is to give a personal and profitable interest in the land to as many as possible of the rural population who are solvent, respectable, and capable of using small holdings to their own advantage. Why should Her Majesty's Government object to the proposal? Had it come from us I admit it might have been considered open to suspicion; but coming as it does from their own supporters who have both recommended it in speeches couched in a spirit of comprehensive intelligence, I cannot

abandon the hope that Her Majesty's Government will be inclined to entertain the proposal with favour. Though the hon. Gentleman has expressed a desire that his proposal may not be associated with that which has been made by us, I venture to assure him that I shall certainly give a hearty vote in favour of his Motion, and I would cordially advise anyone who is at all inclined to listen to me to do the same.

*(11.40.) MR. CHAPLIN: If I had been more favourably disposed to this proposal than I am, I own that my suspicions would have been at once aroused by the extreme cordiality with which it has been received by the right hon. Gentleman. I do not quite understand why he dwelt so much on the new form of tenure he says the Instruction will import into the Bill. I do not follow the right hon. Gentleman there. I do not think he is correct in saying that; because, although it is true that the Instruction refers to the power of acquiring, selling, letting, and managing land for small agricultural holdings, that power of letting is not excluded from the Bill now before us. One of the main objects of the Government has been to create an additional number of freeholds, and we adhere to that; but in regard to the letting of land, that is also provided for by clauses in the Bill, and whether it is desirable to extend those clauses or to keep them as they are is matter for consideration in Committee. I listened closely to the speech of the hon. Gentleman who moved this Instruction, and, as I understand, what he proposes is this: that a County Council shall be enabled to give power to an urban Sanitary Authority, to a Vestry or Vestries, to exercise powers referred to by voluntary arrangement with the owner of the land. But I am bound to say I fail to perceive exactly what it is the hon. Member expects to gain, what advantage he expects will be derived from these additional powers. Anybody in any county can petition the County Council for a small holding, and thereupon the County Council is bound, if it supposes the Petition is made in good faith, to appoint a Committee, and that Committee is bound to make inquiry into the merits of the question. The hon. Gentleman said, from his experience, that these Committees

Mr. W. E. Gladstone

authorised under the Allotments Act had never been appointed; but, if I remember rightly, the power in those cases is entirely permissive; but here in this Bill it is laid down distinctly that the County Council shall appoint a Committee and shall cause an inquiry to be made. The hon. Member says it is not the right way to go to work; but I question exceedingly whether the procedure he recommends will be any benefit at all in that direction. The hon. Member gives power to a County Council to delegate its powers to an urban Sanitary Authority or to a Parish Committee, a Committee for a parish or a group of parishes to be elected by the Vestry; but I do not remember that there is any machinery provided for this election. But if the powers to be conveyed to the Committee are not used, if the land is not acquired, all these powers are to be immediately revoked. On the other hand, if the powers are used, if the land is required, the County Council, if it thinks fit to so, has the right to declare that they shall not be put in force. It does seem to me that we make no progress by this scheme—that nothing is gained in the interest of those who desire to possess small holdings by the incorporation of such provisions into the Bill. In the Bill as it stands at present, part of the powers of the County Council are delegated to a Committee which will be partly composed of members of the County Council and partly of the allotment managers in the parish where the land is situated, and all the powers of the County Council may be delegated to that Committee, with the exception of the power of acquisition. When you come to the power of acquisition of land by these Parish Councils which the hon. Member desires to see introduced into the Bill, we are met at once with precisely the same difficulty we should have had had the Motion of the hon. Member for the Rugby Division (Mr. Cobb) been accepted.

MR. STEPHENS: The right hon. Gentleman will allow me to say there is the greatest possible distinction between my proposal and that of the hon. Member for Rugby. I have never advocated Parish Councils. I have simply had recourse to the old authority of open meeting of the inhabitants in

Vestry assembled by whom the Committee would be appointed.

*MR. CHAPLIN: Quite so; I understand that; but I was about to point out the difficulty which would result if the parish proceeded to the acquisition of land. Although the hon. and gallant Gentleman (Commander Bethell) proposes that the limit of the rate should be 4d., that does not seem to be the view of the hon. Member who moved the Instruction. If the rate is to remain, as I think it ought to remain, at a penny, which is amply sufficient for the purpose of making the experiment we desire to make, then I do not see how it would be possible for any parish authority to give anything in the nature of real effect to the Bill. They would not be strong enough to do it; they are entirely inadequate to the acquisition of land, and no matter what the delegation of power in their hands the Act would become, in my opinion, a dead letter. The proposal is open to another objection which would make me extremely sorry to see it incorporated in the Bill, it is open to the objection pointed out by the hon. Member for Bordesley (Mr. Jesse Collings), that it would involve the admission of causes of delay. I cannot look with any approval on the proposal of my hon. Friend, and I hope he will not think it necessary to carry his Motion to a Division.

Question put.

(11.55.) The House divided:—Ayes 151; Noes 174.—(Div. List, No. 68.)

*MR. SPEAKER: The only other Instruction standing on the Paper is unnecessary. What it proposes can be done in Committee without Instruction, so I now proceed to leave the Chair to complete the proceedings begun before midnight, and in pursuance of Standing Order No. 51.

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow, at Two of the clock.

EVIDENCE IN CRIMINAL CASES BILL

[*Lords.*—(No. 228.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

VOL. III. [NEW (FOURTH) SERIES.]

SHERIFF COURTS (SCOTLAND)

EXTRACTS BILL.—(No. 119.)

Order for Second Reading read.

MR. CALDWELL (Glasgow, St. Rollox): I hope the House will agree to give the Bill a Second Reading. It makes no alteration in the law, but in a very simple manner saves much time and expense. It has the approval of legal authorities, and the Government offer no opposition to the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Caldwell.*)

Bill read a second time, and committed for Monday next.

MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 229.)

Order for Second Reading read.

MR. HOWELL (Bethnal Green, N.E.): If the House will now consent to take the Second Reading of the Bill, I undertake that ample time shall be allowed before taking the next stage.

COLONEL HILL (Bristol, S.): The object of the Bill is of such a character that I am afraid I cannot consent that the Second Reading should pass *sub silentio*.

Second Reading deferred till To-morrow.

GAMING ACT (1845) AMENDMENT BILL.

[*Lords.*—(No. 247.)

Order for Second Reading read.

MR. H. H. FOWLER (Wolverhampton, E.): This Bill only consists of one clause, and its object is to remedy a defect in the Gambling Act. Under that Act, all debts payable on account of bets made and lost are void and irrecoverable at law. That was the state of the law for many years until within the last few years, when it was decided that such debts are recoverable when made through agents, and not as made between principals. Obviously this is a scandalous state of the law, and never intended; discreditable alike to the law and the Judges who have to administer it. The Bill has gone through the House of Lords without any dissent. Its object is clear, and I hope the House will not think it needs discussion.

Motion made, and Question proposed,
 "That the Bill be now read a second
 time." —(*Mr. H. H. Fowler.*)

Motion agreed to.

Bill read a second time, and com-
 mitted for To-morrow.

**GENERAL POLICE AND IMPROVEMENT
 (SCOTLAND) ACT (1862) AMENDMENT
 BILL—(No. 188.)**

Read a second time, and committed
 for Thursday.

for killing Ground Game, ordered to be
 brought in by Mr. George Lambert, Earl
 Compton, Mr. Brand, Mr. Barclay, Mr. Seale-
 Hayne, Mr. Thomas Ellis, and Mr. Halley
 Stewart.

Bill presented, and read first time. [Bill 259.]

STATUTE LAW REVISION.

Lords Message [25th March] con-
 sidered.

Select Committee of Five Members, to join
 with the Committee of Five Lords (as men-
 tioned in the Message of the Lords of the 25th
 day of March last) on Statute Law Revision.

HOUSE OF LORDS,

Tuesday, 5th April, 1892.

LOCAL AUTHORITIES (ACQUISITION OF LAND) BILL. COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD BASING: My Lords, I do not propose to move the Amendments of which notice has been given, but to reserve that for the Standing Committee.

THE LORD CHANCELLOR (Lord HALSBURY): My Lords, before the matter is disposed of I must say this. In addition to the very odd collection of Statutes which are engrafted into the Bill by—I was going to say the draftsman, but I will spare the susceptibilities of my noble and learned Friend (Lord Thring)—I do not see him here—by the author of the Bill, I will say, in his drafting, I observe that among the Amendments suggested one is to get rid of one of the provisions of the Mortmain Act, viz., that which renders it necessary that a person who makes a present of land for the purposes suggested should survive at least a twelvemonth. I am not enamoured of the Mortmain Act, as I have said more than once; but, if that provision is wrong, it ought to be repealed, and it ought not, for this particular purpose, to be got rid of in this way. I do not understand that we have got to do it now, but that it is to go to the Standing Committee, and I wish to give warning what will happen to it when it gets there.

LORD BASING: I am certainly very willing that these Amendments and any others shall be discussed in the Standing Committee, and I only wish it were in my power to secure that this and other Bills—I think I may say Government Bills—should set out the whole of the provisions in previous Acts to which they refer.

House in Committee (according to order); Bill reported without amendment, and re-committed to the Standing Committee.

VOL. III. [FOURTH SERIES.]

SALE OF GOODS BILL [H.L.].

Reported from the Standing Committee with amendments; and Bill to be printed as amended. (No. 58.)

CONVEYANCING AND LAW OF PROPERTY ACT, 1881, AMENDMENT BILL.

Order of the Day for receiving the Report of amendments read, and discharged.

House adjourned at a quarter before Six o'clock.

HOUSE OF COMMONS,

Tuesday, 5th April, 1892.

The House met at Two of the clock.

QUESTIONS.

THE PROCURATOR FISCAL AT TOBERMORY.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Lord Advocate whether he is aware that, notwithstanding the answer given by his predecessor, on 16th May, 1890, to the question of the hon. Member for the College Division of Glasgow, in reference to Procurators Fiscal acting against crofters before the Crofter Commission Courts, Mr. William Sproat, Procurator Fiscal at Tobermory, therein specially referred to, acts for the landlord of the Penmore estate in Mull against crofters named Maclean; whether it has been brought to his notice that the said Mr. Sproat, in at least two letters in connection with the Maclean case, uses paper with the engraved heading "Procurator Fiscal's Office, Tobermory;" and whether he will take more effective steps in this case?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I am informed that the Procurator Fiscal at Tobermory has acted as agent for the Penmore estate for upwards of 40 years, and that in the early part of May, 1890, he appeared before the Crofter Commission in the

case now under appeal referred to in the question. Mr. Sproat is not restricted from carrying on private practice, and is, therefore, quite within his right in so doing. Having regard, however, to the opinion expressed by my predecessor in July, 1889, in which I fully concur, I shall communicate with the Sheriff on the subject. As regards the second part of the question, I am informed by Mr. Sproat that it is not his practice to use such letter paper in connection with his civil business, but it is quite possible that from inadvertence he may have done so.

Secretary to the Treasury if, having regard to the importance of the Civil Service setting an example to private employers in granting a little extra leave privilege to those who serve the country in the Volunteer Force, the various heads of departments will be authorised to allow, so far as the exigencies of the Public Service permit, Civil Servants who are Volunteers to be with their regiments as required by the War Office on the Saturday before Easter without deduction of annual leave, by combining in that week the usual Saturday half-holiday and that in the succeeding or some other week?

of 14 and 15 miles. From the deposition of the survivor of the *Holmrook*, it appears that the weather at the time was densely thick with snow. I do not think any useful purpose would be served by holding a formal inquiry in reference to this case, which, so far as I have gathered, appears to have been one of reckless navigation.

THE POLICE AT DRUMOND, COUNTY MONAGHAN.

MR. MAURICE HEALY (Cork) (for Mr. T. M. HEALY, Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether for years past a police hut, containing a sergeant and three constables, has been maintained on a farm at Drumond, Ballytrain, County Monaghan, from which a Protestant farmer named Dandy was evicted over ten years ago; whether there has been any outrages to justify this; and, if so, what were the outrages, and when did they occur; whether he is aware that the sole occupant of the place now is a single young woman, and do the Executive maintain that she requires four policemen to protect her; at whose expense is this done, at whose request, and will it be continued; will he state why the sergeant from this hut habitually parades up and down outside the Catholic chapel during Divine Service, although himself a Protestant, and not brought there on protection duty, and why the same parade was kept up during a recent mission; is the local Protestant church similarly paraded; and as the Catholic congregation resent this action towards themselves, would the Government explain whether there is any greater reason for it at this chapel than at other Catholic places of worship in Ireland?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The Constabulary Authorities report that the police hut referred to was established in November, 1886, owing to the then lawless condition of the neighbourhood. Meetings had been held for the purpose of intimidating the tenant of the farm referred to, and to induce him to surrender the farm. The only occupant at present is the sister of the tenant. The action of the sergeant is

for the purpose of preventing illegal meetings of the local branch of the National League, which has been suppressed. The Constabulary Authorities contemplate the establishment of a permanent police station in the district.

MR. M. HEALY: The right hon. Gentleman has not answered the fifth paragraph of the question.

MR. JACKSON: The meetings of the League were held in a hall facing the chapel, and it is with a view of detecting attempts to hold illegal meetings that the sergeant has been placed on duty there from time to time. There is no intention to interfere in any way with the chapel.

MR. M. HEALY: The right hon. Gentleman has not said a single word about Sundays. The question relates to Divine Service.

MR. JACKSON: I presume the answer covers that point. Meetings having been held in the hall facing the chapel is the reason for the action of the sergeant.

MR. M. HEALY: Is it suggested that illegal meetings are attempted during the hours of Divine Service?

MR. JACKSON: That I do not know.

MEDICAL OFFICER IN THE LISMORE UNION.

MR. WEBB (Waterford, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland will he explain why the Local Government Board of Ireland have refused to sanction the increase of salary of £20 (from £100 to £120) per annum of Dr. Kenny, medical officer of the Tallow District, in the Lismore Union; is he aware that his district is the only one in the Union having two dispensaries, and that the number of tickets have greatly increased within the last few years; and in view of the fact that his predecessor enjoyed a salary of £120 per annum, and that he has been in the Poor Law service eleven years, and that the representatives of the ratepayers, who would have to pay half the additional salary, have repeatedly urged his claims to an increase, the Chief Secretary will suggest to the Local Government Board to re-consider their decision?

MR. JACKSON: The Local Government Board have felt it necessary to decline to sanction increases of salary except where the medical officer has had long service in the district, and where other circumstances exist which render an addition to the salary specially called for, such as a marked increase in the work since the date of the officer's appointment. The medical officer mentioned has been only some five years in his present district, nor did the Local Government Board as the result of their inquiry find that there were any other special circumstances in his case.

MR. SEXTON (Belfast, W.): As the predecessor of the present medical officer received the salary the Board refuses to sanction now, and as the work has increased very much, may I ask the right hon. Gentleman to make further inquiry?

MR. JACKSON: I know nothing about the circumstances of his predecessor; but, as I understand, the present medical officer has been in office only five years, and since his appointment there has been no increase of work.

DR. TANNER (Cork Co., Mid): Is it a fact that representatives of the ratepayers have unanimously in meeting recommended that the claim of the medical officer to an increase in salary should be acceded to?

MR. JACKSON: I do not know.

MR. WEBB: I will call attention to this matter in Committee of Supply.

THE ACHILL VIADUCT, COUNTY MAYO.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any steps have been taken by the Board of Works to ascertain the cost of the extra work executed by the contractor in the building of the Achill Viaduct, County Mayo, owing to their alteration and enlargement of the original plans and specifications, the substitution of steel for iron, &c.; whether he is aware that the Grand Jury of Mayo have already paid their portion of the extra cost; and whether, seeing that the contractor holds a certificate from Mr. Peddie, engineer in charge, showing that the amount of work claimed for has been done, something can be done to com-

pensate the contractor for the outlay—namely, £2,700?

SIR H. MAXWELL (who replied) said: The hon. Member will hardly expect me to repeat the answer given to a similar question on 10th March last year by my right hon. Friend the then Financial Secretary, but I have no further information now to give.

MR. SEXTON: It is contested whether the contractor has been compensated, that is the point I wish to elucidate. Are the Treasury or the Board of Works intending to make any inquiry?

SIR H. MAXWELL: The contractor was appointed not by the Board of Works but by the Grand Jury of County Mayo.

TELEGRAPHIC FACILITIES AT KILIMORE, COUNTY GALWAY.

MR. ROCHE (Galway, E.): I beg to ask the Postmaster General whether he is aware of the great inconvenience felt by the inhabitants of the market town of Kilimore, County Galway, owing to the want of a telegraph office there; and whether he will make inquiry as to the desirability of having the telegraph service extended to Kilimore?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): I will cause inquiry to be made, and will let the hon. Member know the result.

CATTLE DISEASE IN NORTH ESSEX AND KENT.

MR. ROUND (Essex, N.E., Harwich): I beg to ask the President of the Board of Agriculture if he can see his way to relax the restrictions now placed upon certain petty sessional divisions in North Essex, either by limiting the area of the district now scheduled as infected, or by permitting licences to be given in special cases for the removal of stock (in those petty sessional divisions where there has been no outbreak of disease) into adjoining petty sessional divisions or to the Metropolitan market?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I regret to say that foot-and-mouth disease is still in existence in the Saffron Walden

district, and under the circumstances it is quite out of my power to make any relaxation in the rules, though I hope before a very long period it may be possible to do so.

MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): Can the right hon. Gentleman see his way to relax any of the restrictions on the removal of cattle in the County of Kent?

MR. CHAPLIN: No; I answered that question in the negative the other day. There has been a further outbreak of disease only a few days ago.

CONTINENTAL ANARCHISTS.

COLONEL HOWARD VINCENT: I beg to ask the Secretary of State for the Home Department if his attention has been called to the reported expulsion of 40, or more, reputed Anarchists from the territories of the French Republic, and to the fact that, as the frontiers of Germany, Italy, Spain, Switzerland, and Belgium are closed to them by the administrative laws of those nations, and also, to a great extent, the ports of the United States, by the Acts of Congress forbidding the immigration of undesirable aliens and artizan competitors, the United Kingdom is practically the only refuge for the rejected of Europe; and whether, having regard to their increasing numbers, he proposes to take any steps for the legislative reinforcement of the powers of the Executive in the matter? In putting this question to my right hon. Friend, I wish also to ask him if his attention has been called to the reported arrest yesterday of a Frenchman and a Portuguese with bombs upon them at the very door of the Spanish Parliament, and to the Report for 1886 of Her Majesty's Inspectors of Explosives detailing dynamite outrages in this country, or the Continent, and in America, and recommending that "as the law has signally failed it should be declared by international agreement that these attempts, like piracy, are crimes against humanity?"

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have no information which leads me to believe that the French Republic has

expelled, or is about to expel, from its territory members of the criminal classes. If there were any probability of such action on their part, an diplomatic remonstrance were not effectual to prevent it, Her Majesty's Government would not hesitate to ask Parliament for such further powers as might appear necessary. With reference to the second question added this morning, I have seen in the newspapers that a Frenchman and Portuguese have been arrested under the circumstances mentioned. With regard to the quotation, however, from the Report of the Inspectors for 1886, should point out that the Inspectors are not giving their own opinion, but quoting from a pamphlet written by an American citizen who felt warmly of the subject of dynamite outrages.

THE PRISONER O'LEARY IN MOUNTJOY PRISON.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Thomas O'Leary, now incarcerated in Mountjoy Prison, was, after his probationary term of nine months, placed to work in the shoemakers' shop; whether it is the usual practice to give prisoners, after probation, employment in the open air; and, if so, why was the custom departed from in the case of O'Leary; whether the shoemakers' shop in Mountjoy Prison is in an unhealthy situation in the basement, badly ventilated, with water-closets inside; whether O'Leary's health has suffered in consequence of being compelled to work in this shop for years without change; whether it is usual for prisoners to be changed from one class of work to another on their own application; and whether O'Leary made application to the Prison Authorities for a change of employment in the open air; and has his request been refused; and, if so, why?

MR. JACKSON: The General Prisoners Board report that the facts are as stated in the first paragraph. The practice is not as stated in the second paragraph, inasmuch as prisoners who have a taste for trades are in their own interest taught such trades during and after probation. Prisoners acting as shoemakers and tailors receive one hour's exercise in the open air daily.

and a longer period on Sundays. This custom has been followed in O'Leary's case. The shoemakers' shop at Mountjoy is not unhealthily situated. The medical officer reports that it is well ventilated, well lighted, well heated, and that sanitary matters connected with it are carefully attended to. The prisoner has in no way suffered as alleged. On the contrary, the medical officer reports that he is in robust health. The reply to the fifth paragraph is in the affirmative. As regards Paragraphs 6 and 7, the Prisons Board report that this convict's applications for employment at outdoor labour have been several times granted.

PLEURO-PNEUMONIA AND SWINE FEVER.

SIR E. GREY: I beg to ask the President of the Board of Agriculture whether any case of pleuro-pneumonia now exists in Great Britain; and whether he is yet prepared to introduce a Bill, as urged upon him by a deputation from the Central and Associated Chambers of Agriculture and Farmers' Club in February last, to provide means for dealing with swine fever similar to those adopted in the case of pleuro-pneumonia?

MR. CHAPLIN: No case of pleuro-pneumonia exists that we know of, because we have ordered the slaughter of all animals showing signs of the disease, and of those animals which have been in contact with diseased animals. It would be premature, however, to say the disease has disappeared; there have been three or four cases discovered in the present year. As to the second part of the question, it would be quite beyond the resources of the Department to attempt to deal with swine fever until we have arrested the spread of foot-and-mouth disease, to which all the energy of the Department is directed at the present time.

ARBITRATION TREATIES WITH FOREIGN GOVERNMENTS.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of both Houses of the American

with any other Power, it is intended by Her Majesty's Government to enter into communication with the American Government, with a view to the negotiation of such a Treaty between Great Britain and the United States?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): On the 2nd August, 1883, the right hon. Member for Midlothian was invited by the hon. Member for the Bordesley Division to reply to a question almost identically the same as that of the hon. Member for Northampton. On that occasion the right hon. Gentleman is reported to have replied, "We are not prepared to do anything of the sort." Her Majesty's Government, although holding the same opinion as that which was held by the Government of the right hon. Member for Midlothian, do not desire to give quite such an abrupt statement of their views. Her Majesty's Government have shown that they are not averse to referring to arbitration several matters of dispute which have arisen between themselves and foreign Governments; but there are questions, such as those involving the title of the British Crown to territory or other Sovereign rights, which Her Majesty's Government could not pledge themselves beforehand in all cases to refer to arbitration.

PRINCIPAL CLERKSHIP, CUSTOMS STATISTICAL DEPARTMENT.

MR. NORRIS (Tower Hamlets, Limehouse) (on behalf of Mr. DARLING, Deptford): I beg to ask the Secretary to the Treasury when it is intended to fill up the vacant principal clerkship in the Statistical Department of Her Majesty's Customs?

SIR HERBERT MAXWELL (who replied) said: This vacancy has occurred in the ordinary course, and the Board of Customs will fill it up in the exercise of their discretion. I can give no date.

DISTRIBUTION OF TAXATION GRANT IN SCOTLAND.

MR. HUNTER (Aberdeen, N.): I beg to ask the Lord Advocate whether,

Bill, he will lay upon the Table of the House a Return showing how much each county or burgh in Scotland will receive of £100,000, if it is distributed according to valuation, and how much each county or burgh would receive if the money were distributed according to the population as ascertained by the census of 1891?

***SIR C. J. PEARSON**: There is no objection to giving the information asked for. If the hon. Member will be good enough to move for the Return, I shall use every endeavour to have it presented before the Committee stage.

THE IRISH AND AMERICAN

MAIL SERVICE

DR. TANNER: I beg to ask the Postmaster General whether it has been conceded by the Post Office that the interval between receiving and posting given at Cork on arrival of mails (less than an hour) is insufficient and unsatisfactory; whether the acceleration of the service which the Great Southern and Western Railway Company of Ireland are willing to carry out has been settled on terms acknowledged by the Post Office to be reasonable and moderate, and whether the only opposition to the conclusion of the acceleration of the Cork and American mails has been from the Treasury, who state they could not authorise the expenditure at the present time; whether this expenditure has been recommended by the Post Office to the Treasury; and why and for what reason, under existing circumstances, this Irish and American benefit, having been recommended by the Post Office, is opposed by the Treasury?

***SIR J. FERGUSON**: The hon. Member's statement is substantially accurate.

DR. TANNER: Will the right hon. Gentleman answer the last paragraph, as to whether there is a conflict between the Treasury and the Post Office?

***SIR J. FERGUSON**: The hon. Gentleman has put down a question to the Treasury on precisely the same subject, and I prefer to leave it to the Treasury to answer.

DR. TANNER: I ask if there is conflict between the Post Office and the Treasury? I shall call attention to the matter on the Estimates.

DR. TANNER: I beg to ask the Postmaster General what is the difference between the delivery and time given for answering mails in Cork and Belfast; and whether the Great Southern and Western Railway Company have offered any advantages to secure quicker delivery and return?

***SIR J. FERGUSON**: Between the time fixed for beginning the delivery of the English letters at Cork and the time for closing the letter box for outward mail there is an interval of 1 hr. 20 min. At Belfast the interval is five hours.

DR. TANNER: I must ask the right hon. Gentleman to reply to the second paragraph.

MR. SEXTON: For what sum of money have the Great Southern and Western Railway Company agreed to carry out this improved service?

***SIR J. FERGUSON**: I do not think I can answer that offhand. I have said that it was a question of money.

MR. MAURICE HEALY: Has the right hon. Gentleman abandoned his efforts to induce the Treasury to concur in his view on the matter?

***SIR J. FERGUSON**: It is well understood that Her Majesty's Government acts as a whole, and if it has not been thought proper to increase the subsidy to the Railway Company for the service it must be taken to be the decision of the Government generally.

MR. MAURICE HEALY: If the right hon. Gentleman did not intend to improve the service in some way what was the object of entering into negotiations with the Great Southern and Western Railway at all?

***SIR J. FERGUSON**: We did not initiate negotiations, but we desire to improve the service as much as possible.

DR. TANNER: Have the Railway Company been offered any advantage to secure a quicker delivery and return?

***SIR J. FERGUSON**: They are treated in the same way as any other Railway Company carrying mails, and

we are prepared to give them the same advantages. We made them no offer, but they made one to us.

DR. TANNER: What is the character of these advantages?

MR. MAURICE HEALY: May I ask if it is a fact that the Post Office have approached the Great Southern and Western Railway Company with the object of improving the service, and that negotiations have taken place between them with the object of improving the mail service, and what is the basis of these negotiations? Was it not the payment of an increased sum to the Company?

*SIR J. FERGUSSON: That is the purport of what I have already stated.

DR. TANNER: I beg to ask the First Lord of the Treasury if he will explain why the Treasury has refused to authorise increased expenditure for conveyance of American mails *via* Dublin and Queenstown; and whether said expenditure has been recommended by another Government Department?

MR. GOSCHEN: Perhaps the hon. Member will allow me to answer this question? I think I have only seen the question to-day, and have not been able to examine into it. On the question generally I can only repeat the words of my right hon. Friend the Postmaster General, that the Government look into these matters as a whole, and it would be most inconvenient that any differences of opinion in a Department should be made a matter of political discussion. The Government acted on the whole case, and the decision of the Treasury or Post Office, as it might be, is final.

MR. SEXTON: Will the right hon. Gentleman supplement the defective information of the Postmaster General by telling us what sum is now paid to the Railway Company, and for what increased sum they will grant an improved service?

MR. GOSCHEN: I have only seen the question on the Paper to-day, and cannot answer that question.

MR. SEXTON: I shall ask it again on Thursday.

MR. MAURICE HEALY: Can the Postmaster General say why, if the Government acted in this matter as a whole, and the Post Office entered into

negotiations with the Railway Company with a view of increasing the subsidy to the Company, that when the Railway Company acceded to their demand the Treasury refused to carry out what the Post Office proposed?

MR. GOSCHEN: I suppose they negotiated like anybody else would, and that when too much was asked the negotiations were broken off.

MR. MAURICE HEALY: Is the right hon. Gentleman aware that the Postmaster General said that the demand of the Great Southern and Western Railway Company was most moderate?

MR. WEBSTER (St. Pancras, E.): I rise to a point of Order. I should like to know if hon. Gentlemen below the Gangway have a right to ask six supplementary questions to every question they have on the Paper?

*SIR J. FERGUSSON: I should like to reply to the question of the hon. Member for Cork (Mr. M. Healy). It is quite true that when I had a meeting with the representatives of the Railway Company and others on this question I said that, in my opinion, if the service was to be paid for the demand of the Railway Company was moderate, but whether it could be done or not was a matter for consideration.

MR. MAURICE HEALY: This is a very important matter. What I want to know is this: what was the object of the Post Office in approaching the Great Southern and Western Railway at all if, when that Company acceded to their views and asked what is admittedly a most moderate sum, they turned round and said that the Company should have nothing?

*SIR J. FERGUSSON: I did not approach them, they approached me.

THE EMPLOYEES AT HAULBOWLINE DOCKYARD.

DR. TANNER: I beg to ask the First Lord of the Admiralty how many dockyard employees are now working at Haulbowline; what is the nature of their employment; and whether any skilled dockyard artificers are now employed at Haulbowline?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Perhaps the hon. Gentleman will put the question down

Sir J. Fergusson

Friday. He only put it down last night, and I have not had time to get information.

GOLD AND SILVER MINING ROYALTIES.

MR. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Chancellor of the Exchequer whether is the intention of the Government to reduce the royalties on gold and silver in Wales and in Ireland in private lands to the same amount as the royalties have lately been reduced in the case of one mine in private lands in Wales; and, if not, why not?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I have already stated that under similar circumstances similar treatment will be given to mines in Wales and Ireland, but that the case of each mine must be considered separately.

MR. PRITCHARD MORGAN: Does the right hon. Gentleman anticipate that people are likely to open mines unless they know the terms beforehand?

MR. J. O'CONNOR: Is the difference between the royalty in Ireland and Wales 5 per cent. and 1 per cent. respectively?

MR. GOSCHEN: I do not know at this moment whether in the case of land 5 per cent. is charged. Any change in the royalty would apply equally in Wales and Ireland. The sliding scale has been offered in Ireland. It is quite possible that mines in Ireland have not been worked, and that, therefore, no concession has been asked for.

MR. PRITCHARD MORGAN: May I ask the right hon. Gentleman whether it has not been represented to him by the mining authorities that the sliding scale in metalliferous mines is utterly impracticable and unworkable?

TELEGRAPH EXTENSION IN RURAL DISTRICTS.

MR. THORBURN (Peebles and Selkirk): I beg to ask the Postmaster General when he expects to introduce a Bill for extending to Scotland the provisions of an Act, now in force in England, whereby Local Authorities may assess for the purpose of meeting any deficiency arising out of guarantees

given to the Post Office in connection with telegraph extension in rural districts?

SIR J. FERGUSSON: Instructions have been given for the preparation of a Bill for this purpose, and I hope shortly to be able to introduce it.

THE ROYAL COMMISSION ON WESTMINSTER ABBEY.

MR. SHAW LEFEVRE (Bradford Central): I beg to ask the First Commissioner of Works whether he can state what action the Government proposes to take with respect to the Report of the Royal Commission on Westminster Abbey, and especially with reference to the recommendation as to the demolition of the houses in Old Palace Yard, which it is alleged would be the cause of danger to the Abbey in the event of fire?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The Government have not yet arrived at any decision as to the alternative sites suggested by the Royal Commission for a Memorial Chapel. With reference to the houses at Portico Corner and in Old Palace Yard, I have been in communication with the Ecclesiastical Commissioners, who are the ground landlords of the houses in question, and I am in communication with the Dean and Chapter of the Abbey. The leases of these houses will expire at periods varying from one to twelve years from the present time, and I think it is obvious that, whatever plan may be ultimately adopted, the leases should not be renewed.

THE NEW POST OFFICE AT LONGFORD.

MR. MAURICE HEALY (for Mr. T. M. HEALY): I beg to ask the Postmaster General if he will state what is the cause of the delay in the erection of the new post office at Longford?

***SIR J. FERGUSSON:** The delay has been unavoidable, but it is hoped that the scheme will soon be matured.

THE PROMOTION LIST OF THE WATERFORD COUNTY POLICE.

MR. MAURICE HEALY (for Mr. T. M. HEALY): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many Roman Catholics and how many Protestants are on the

Waterford County Inspectors' Promotion List; how many of each religion were, by a recent circular order to District Inspectors by the County Inspector, found disqualified; how many of these found disqualified by the present County Inspector were found eligible by his predecessors in office; and how many Roman Catholic and Protestant sergeants are now "under supervision," awaiting the Report of their District Inspectors at the expiration of three months?

MR. JACKSON: The Inspector General reports that the present County Inspector for Waterford has just taken over the county, and that on doing so he went through the promotion list of his predecessor, and in no case was the name of any man removed whom his predecessor thought eligible for promotion. The question of religion forms no element in promotion, which must depend solely on individual fitness.

MR. MAURICE HEALY: The right hon. Gentleman has not answered the last paragraph.

MR. JACKSON: I said that religion forms no element in promotion, and I think it very undesirable to give that information.

THE WEARING OF THE SHAMROCK.

MR. J. O'CONNOR (for Mr. P. O'BRIEN, Monaghan, N.): I beg to ask the First Lord of the Admiralty what was the name and length of service of the Lieutenant who ordered Frederick Dwyer to take the shamrock out of his cap at Devonport on St. Patrick's Day last; what was the date upon which Commander Neville reduced Dwyer's sentence from fourteen to seven days; was it as a result of any communication from the Admiralty; and whether, in consideration of the circumstances which led to Dwyer's disobedience, he will see that this occurrence shall not be recorded against him, or in any way interfere with his chances of promotion?

LORD G. HAMILTON: The officer in question was Lieutenant Edward P. Powell, who has seniority as Lieutenant of 16th April, 1878. Dwyer's sentence was reduced on the 20th March, but entirely independent of any intervention by the Admiralty. The man's Christian name is Patrick and not Frederick

Mr. Maurice Healy

as previously stated. His conduct since he joined the Service in 1889 is noted as very good, and if he continues to behave in other respects as he has done in the past, his act of disobedience will not be recorded against him.

THE LIGHT ON THE CLOCK TOWER.

MR. J. O'CONNOR (for Mr. P. O'BRIEN): I beg to ask the First Commissioner of Works whether he is aware that the signal light on the House of Commons cannot be seen at all from some parts of London, and is very imperfectly visible from many points owing to its position on one side of the tower; and whether he proposes to remedy this defect by placing a powerful electric light on the summit of the tower so as to be visible from all points?

MR. PLUNKET: This is the first complaint I have received as to the insufficiency of the signal light on the Clock Tower, and I believe that under ordinary conditions of the atmosphere the light is well seen in those parts of the town to which it is at present directed. There are times when London fogs are very dense at which neither this light nor any other could be of much service. If I were satisfied that any considerable number of Members of Parliament are deprived of the advantage of seeing the light, or of the sometimes keener pleasure of seeing it extinguished, that would be a reason, if the expense were not thought too heavy by the Treasury, for endeavouring to spread the light more widely. As to whether that could best be done by gas or electric light is a question on which I believe a good deal can be said on both sides.

DR. TANNER: Is it not a fact that there would be very little increase in the cost if the light were put at the top of the Tower, so that it could be seen South as well as West?

MR. PLUNKET: I cannot answer that question without further investigation; but I think there would be a considerable increase of cost.

THE LIMERICK FISHERY BOARD.

MR. J. O'CONNOR (for Mr. P. O'BRIEN): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the number of elected

members on the Limerick Fishery Board, and what is the number of *ex officio* members; what are the qualifications of membership for each class, and what is the system of election to the Board; has the present Chairman of the Board, the Hon. Gaston Maunsel, any financial interest in the fisheries; has it come to his knowledge that grave dissatisfaction exists amongst the working fishermen with the Board, and that the Inspectors of Fisheries have been memorialised to investigate the condition of the fisheries; whether he can say if an inquiry will be held; and, if so, when; whether there are vacancies in the districts entitled to elect members to the Board; and whether he will see that elections are proceeded with at once?

MR. JACKSON: 1. There are 24 persons elected every three years to act as Conservators for the Limerick Fishery district. 2. The number of *ex officio* Conservators varies from year to year, as the number of persons possessing the requisite qualifications fluctuates. 3. The qualifications for an elected Conservator are:—(A). That he shall reside or possess real property in the electoral division of the district for which he is elected. (B). That he shall be duly elected at a properly convened meeting of persons entitled to vote. These persons are those who shall have paid licence duty for the current year within the electoral division only for which the meeting is held. The qualifications for an *ex officio* Conservator are that he shall possess a several fishery as owner, lessee, or occupier, valued under the Acts for the relief of the poor at £100 a year or upwards—provided that when a fishery so rated shall be held by several persons, one person alone shall act as Conservator; or that he shall be a Magistrate paying licence duty, and be the owner of land abutting on a river. 4. The system of election to the Board is as follows:—The existing Board of Conservators fix, and publish notice of, the date, hour, and place, for the meeting of the electors in each electoral division for the election of the proper number of Conservators for the same. Two weeks' notice thereof is to be given by handbills and advertisements in two or more newspapers circulating

in the district. The meeting for election commences at the hour and on the day named in the notice. Votes are not received after three o'clock p.m. on that day. The persons entitled to vote are those who have paid licence duty for the current year. Such persons shall choose a Chairman, who presides and receives the votes of the electors. All persons produce their licences for the current year at the time of voting. Such persons can give votes according to the following scale:—If the licence duty paid by them shall not amount to £2, one vote; shall amount to £2 and not exceed £5, two votes; shall amount to £5 and not exceed £10, three votes; shall exceed £10, four votes. The chairman declares the persons who shall have received the greatest number of votes to be the elected Conservators, and certifies same. 5. The Inspectors have no information as to whether or not the Hon. Gaston Maunsel has any financial interest in the fisheries. 6. The Inspectors understand from reports in the Press that some friction exists between certain fishermen and members of the Limerick Board.

THE BENGAL MUNICIPAL ACT.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for India whether the Lieutenant Governor of Bengal intends to introduce into the Bengal Legislative Council a Bill to amend the existing Bengal Municipal Act; whether he is aware that the statement to the effect that this was intended has caused widespread alarm throughout the Province as being subversive of the principle of local self-government introduced by successive Viceroys in the Viceregal Legislative Council, and that meetings have been held at Hugli, Howra, Searsole, Bankura and other places protesting against the Bill; and whether in view of the strong and unanimous feeling expressed, the Secretary of State will ascertain the intentions of the Lieutenant Governor of Bengal and of the Government of India with reference to the Bill, and lay them before this House?

*THE UNDER SECRETARY OF STATE FOR INDIA (MR. CURZON, Lancashire, Southport): The proposed legislation to amend the Bengal Muni-

the proposed distinctive management of the Irish products the Commissioners have nothing to make known, but they are considering the advisability of establishing a special department in Dublin to deal with the Irish exhibits. I may point out to the hon. Member that the proper person to give information on the matter is the secretary to the Commission.

SIR J. PULESTON (Devonport): Has anything yet been decided with reference to the proposal that the total amount to be granted for the purpose of the exhibition should be increased?

*SIR R. WEBSTER: I hope so. The application for such an increase was forwarded by the Commissioners to the Chancellor of the Exchequer.

MR. J. O'CONNOR: How soon does the right hon. Gentleman expect to know the decision of the Government?

*SIR R. WEBSTER: There is a meeting of the Commission to-morrow at five o'clock at which the matter will come up for consideration, but whether any reply has yet been received from the Treasury in regard to the matter I do not know.

THE TRUCK ACTS.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Attorney General whether, in the absence of any written agreement, an employer has any legal right to deduct from his workpeople the rent of the houses in which they live; and whether such deduction is not a violation of the Truck Acts?

*SIR R. WEBSTER: There is no violation of the Truck Acts in deducting the rent of premises occupied by workpeople if they are the property of the master, whether the agreement is in writing or otherwise. By Clause 23 of the Act of 1831, and Clause 5 of the Act of 1887, the rent of such premises is expressly reserved from the operation of the Truck Acts.

PRIVATE MEMBERS' BILLS.

(2.52.) MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the First Lord of the Treasury whether, in view of the very great importance of the Local Veto (Scotland) Bill, he will use the influence of the Government towards allowing the House to take it into consideration?

MR. A. J. BALFOUR: The Government have no influence to enable them to alter the order of private Members' business.

MR. DALZIEL: I would remind the right hon. Gentleman that the Mover of the first Order to-morrow, the Rating of Machinery Bill, is an hon. Member upon whom the Government are in a position to bring influence to bear.

MOTION.

PARLIAMENT (ELECTION AND DISSOLUTION).

(2.50.) MR. LABOUCHERE (Northampton): I beg, Sir, to ask the First Lord of the Treasury whether the Return for which I have asked in Notice No. 4 will be granted as an unopposed Return?

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): I see no objection to the Return, though I do not see what useful purpose it will serve.

MR. LABOUCHERE: Then, Mr. Speaker, I move for a

"Return of the dates on which each Parliament was Elected and Dissolved since the passing of the Septennial Act, together with the periods that elapsed in each case between the Dissolution and the Meeting of the new Parliament."

Motion agreed to.

ORDERS OF THE DAY.

RAILWAY SERVANTS (HOURS OF LABOUR) SELECT COMMITTEE.

Special Report from the Select Committee on Railway Servants (Hours of Labour) read, as followeth:—

SPECIAL REPORT.

The Select Committee on Railway Servants (Hours of Labour) have agreed to the following Special Report:—

"Your Committee, having considered a letter dated 21st February, 1892, from Mr. Harford, General Secretary of the Amalgamated Society of Railway Servants, and printed in Appendix A., alleging that certain witnesses who had given evidence before them during the last Session of Parliament had been dismissed from their employment in consequence of the

any decision on the point. The Committee have said that So-and-So have done certain things calculated to deter witnesses from giving evidence before the Committee. I say that this is not a breach of the Privileges of this House, because the Committee left it expressly to this House to affirm that principle; and I venture again respectfully to ask you whether we are in Order in summoning to the Bar of this House persons of whom we have not said yet that they have committed a breach of the Privileges of this House?

*MR. SPEAKER: The hon. Member will observe that the Committee have not decided that any breach of Privilege has been committed, but only that action has been taken by certain gentlemen which is calculated, in their opinion, to intimidate witnesses. It is upon that allegation that the House would like to hear the gentlemen who are referred to in the Report in order to know whether they can say anything in excuse or mitigation of the allegation which is charged against them. I do not think that any injustice can be done to any gentleman by asking them to attend at the Bar of this House.

Motion agreed to.

Ordered, That John William MacLure do attend this House in his place upon Thursday next.

Ordered, That Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher do attend this House upon Thursday next, at Three of the clock.—(Sir M. Hicks Beach.)

SMALL AGRICULTURAL HOLDINGS

BILL.—(No. 183.)

COMMITTEE. [Progress 4th April.]

Considered in Committee.

(In the Committee.)

Clause 1.

*(3.2.) MR. F. S. STEVENSON (Suffolk, Eye): I move, in page 1, line 7, to leave out from "If," to "this Act," in line 10. The words which I propose to leave out are these:—

"If the council of any county are of opinion that there is such a demand for small holdings for the labouring population in their county as justifies them in putting in operation this part of this Act."

This Amendment must be taken in connection with a subsequent Amendment which I propose to move—in line

10, after the word "council," to insert "of any county." If, therefore, the Amendment is carried, the clause will run: "The council of any county may," &c. These words as they now stand either have no meaning and are mere surplusage, or they have a meaning. If they have a meaning, I venture to think that there will be a certain ambiguity as to what that meaning is, because how can a Council form any opinion? The words obviously refer to the 1st sub-section of Clause 4, in which it is stated that

"Any county council may, and every county council not being a council of a county borough shall appoint a committee to consider,"

&c. As the words stand now it is possible for any County Council to state beforehand whether it will, or whether it will not, adopt the Act. That is the meaning of which these words would be susceptible, and it is in order to avoid any ambiguity of that kind that I propose to leave them out.

Amendment proposed, in page 1, line 7, to leave out from the word "If," to the words "this Act," in line 10.

Question proposed, "That the words proposed to be left out stand part of the Clause."

(3.4.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I have listened with attention to the arguments of the hon. Gentleman, but I fail to see that there is any objection to affirming in Clause 1 the principle on which the Bill is founded, although that general principle finds expression in Clause 4. I presume the House will agree with me that the Act should only be put in force where it is required, and I see no reason why that principle should not be affirmed in Clause 1.

*(3.5.) MR. F. S. STEVENSON: There are two ways in which the County Council may affirm its opinion, but there is no necessity for the County Council, previous to any demand for land taking place, affirming the opinion whether it should put the Act in force in any particular county. It would be time enough for the County Council to affirm the opinion when an actual specific demand for particular land is sent up to it.

(3.6.) MR. H. H. FOWLER (Wolverhampton, E.): There is a clear contradiction between these Clauses 1 and 4; and although the First Lord of the Treasury wishes them to be left unchanged, I think if he endeavoured to reconcile them he would find it beyond his powers. Clause 4 contemplates that County Councils shall, in the first instance, whether they like it or not, appoint a committee, and that committee is to institute an inquiry, upon which, apparently, the object of Clause 1 will be carried out. I desire to call the attention of the right hon. Gentleman to the extraordinary phraseology of this clause, and ask him what it means. I have no doubt he has seen the speech of the Lord Chancellor in Birmingham on Saturday night, in which, in very severe terms, his Lordship commented on the phraseology of the Bills sent up by this House, and suggested that it is the lay Members of this House who are responsible for the extraordinary language which some of those Bills contain. I will not presume that this language has proceeded from a lay mind, but I think we may fairly ask the right hon. Gentleman to put a meaning upon that clause: "If the council of any county are of opinion." I do not know how a Council can be of opinion. I know how an individual can be of opinion, and I know how a Council can resolve, but I always thought that the way in which a body, whether House of Commons or Board or Council, expresses its judgment is by resolution. I can understand if we are told that they are to resolve. Then we find that the demand is to be made by the labouring population, and I would ask the right hon. Gentleman to define labouring population. We know that he is a large landowner in Lincolnshire, and that no man works harder than he does in his capacity of President of the Board of Agriculture, and in that sense of the word he labours. I suppose, however, that the meaning is to exclude from this Act those persons who do not earn their living in the form of weekly wages. But the judicial mind and the legislative mind are in perpetual conflict; and a great deal of litigation is brought about by people seeking to give to Acts

a meaning which Parliament never intended, and endeavouring to make Acts do what Parliament never contemplated. I would ask, does this Bill include the fishermen of Lincolnshire, the cotton spinners of Lancashire, and the miners of Staffordshire, or is it confined to the agricultural population? A part of this clause appears to me to be mere surplusage, and if it means agricultural labourer why should it not say so? I do not see how men, such as blacksmiths, village carpenters, or the classes mentioned last night, are to have a community of interest with the labouring agricultural population who are earning weekly wages; and, therefore, I submit to the right hon. Gentleman that Clause 1 and Clause 4 are in absolute conflict, and that they must have been inserted in the Bill upon two different sets of instructions, one contemplating one state of things and the other another state of things. And I submit to him that the vagueness and incertitude about the meaning of the words put into this clause will tend, amongst other things introduced into the Bill, to nullify the measure altogether.

*(3.11) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The right hon. Gentleman has spoken of a judicial mind in connection with the language of this clause. It appears to me to be perfectly clear to almost any layman in the world. The right hon. Gentleman has taken exception to the clause as it is drafted, and said he had never heard of such a phrase as "in the opinion of the Council," and did not know how a County Council could express an opinion. I ask him, then, "How can this House be of opinion?" And yet it is one of the commonest forms of expression employed in Motions in this House. It is used week after week and day after day. "That this House is of opinion" is one of our commonest forms of expression. That is a sufficient answer, I think, to the objection of the right hon. Gentleman. Then he talks about the labouring population and asks are they to include such men as blacksmiths, village carpenters, and the classes mentioned last night, or does it only include persons who are agricultural labourers alone? Certainly

it is intended to include a far wider circle than that. According to our reading of this clause it includes all the classes to whom he has referred; and let me remind the right hon. Gentleman that in every agricultural district and village, during the period of harvest at all events, all the mechanics, blacksmiths, and village tradesmen, are engaged in agricultural work. Surely the right hon. Gentleman knows enough of the country to be aware of that fact. Harvest-time is the busiest time in the year, and during that time the whole agricultural population are engaged very often; but let it not be understood that the application of this clause is to be limited to that class. The words in the clause which cause such dissatisfaction to the right hon. Gentleman have been taken out of the Allotments Act. In that Act it was provided that the labouring population should be provided with allotments, and I never heard a whisper of complaint against it upon that ground. It appears to me, therefore, that the criticism of the right hon. Gentleman is hypercritical altogether. With regard to Clause 4, I think I can convict the right hon. Gentleman of inaccuracy. Under that clause it is the duty of the County Council to appoint a Committee to consider whether the circumstances of the county justify the Council in putting into operation this part of the Act; and when a petition is presented to them it becomes the duty of the County Council to make inquiry into the whole of the circumstances with the view of putting the Act into operation. As regards the Amendment which the hon. Member has moved, it seems to me to be open to this objection, that if these words were omitted, then the position would be this: that even if there were going to be no demand whatever for the provision of small holdings, so far as the labouring population were concerned, the County Councils would have to proceed notwithstanding. It appears to me that the language used in the Bill is the ordinary language of Acts of Parliament, so far as I am acquainted with them, and is in accordance with the precedent of the Allotments Act. I am bound to say that the Amendment is

altogether unnecessary, and that the observations of the right hon. Gentleman are not altogether well-founded.

(3.16.) MR. SEALE-HAYNE (Devon, Ashburton): I think, in the case of the Allotments Bill, the Minister who had charge of the Bill expressed the opinion that the words "labouring population" did not include anything but agricultural labourers. If I remember rightly that was the explanation he gave when we endeavoured to introduce other words.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): As I suppose I am the Minister referred to by the hon. Member, I feel bound to state that no such opinion was expressed by me. It always seemed to me that the "labouring population" would include artisans belonging to the towns.

MR. SEALE-HAYNE: At that time I recollect distinctly it was stated that the words "labouring population" would not include such men as the village blacksmith and the village carpenter.

*(3.17.) SIR W. FOSTER (Derby, Ilkeston): The Allotments Act of 1887 in some of its clauses was worded in the same way as this Bill in saying that the Local Authority is of opinion, but there the important words are added "after inquiry." In this case the right hon. Gentleman contemplates, I apprehend, that the County Council is to come to an opinion without any previous inquiry, and in that respect I think this Bill is inferior in its wording to the Bill of the right hon. Gentleman's colleague sitting on the same Bench. The County Council may have an academic discussion on these points as to the general desirability of small holdings in particular parts of the country; and later on, after inquiry, they may find that their opinion is wrong. It would be more logical and more conducive to the effective operation of the Act, if the right hon. Gentlemen allowed their opinion to be formed after a public inquiry of some kind has been made.

(3.19.) MR. R. T. REID (Dumfries, &c.): I cannot agree with the complaints that have been made with regard to the words used in this clause.

It seems to me that the language is perfectly clear. There is a subsequent Amendment dealing with the insertion in the clause of the words "labouring population." It seems to me that when we are dealing with land up to 50 acres that really not only the labouring population strictly so called should be included, but it would be desirable to include also tenants or freeholders.

(3.20.) MR. H. T. KNATCHBULL HUGESSEN (Kent, Faversham): This Bill is intended to benefit not only the agricultural labourers but some others who combine other occupations with that of agricultural labour, and it would be a great pity if by any possible ambiguity they should be excluded.

THE CHAIRMAN: Order, order! There is a subsequent Amendment dealing with the question of the exclusion of the words "for the labouring population," and the hon. Member is not in order in discussing the matter now.

*(3.21.) MR. F. S. STEVENSON: First of all a Committee is to be appointed before the Act can be put in force; and, secondly, there is a Committee proposed in Sub-section 2, Clause 4, which contains some safeguards which in my opinion are altogether sufficient and adequate without previous inquiry. Neither the right hon. Gentleman nor any other hon. Member has suggested that these words are necessary, and, therefore, considering that there is no necessity for their insertion, I cannot understand why the right hon. Gentleman should not consent to their omission.

*(3.21.) MR. WINTERBOTHAM (Gloucester, Cirencester): I rise, in the words of the Minister of Agriculture, to try to pour oil on the troubled waters. I consider that the benefit of this clause should be open to all, and, therefore, I am against leaving out these words. I am also in favour of taking out the words "labouring population," because the great good of this Bill—if it is to be of any good—will be to small farmers, who might not come quite under the definition "labouring population." I would venture to suggest to the right hon. Gentleman that he should insert the words "after inquiry" after Coun-

cil, which would be following the precedent of the Allotments Act, and that he should take out the word "may" and put in "shall."

(3.23.) MR. H. GARDNER (Essex, Saffron Walden): I wish to ask the right hon. Gentleman whether my interpretation of the Bill is correct. I wish to know whether Clause 1 contemplates the case that the County Council may take the initiative in putting the Act into operation; and, if so, whether Clause 4 is not somewhat contradictory in its terms?

Amendment negatived.

(3.24.) MR. OLDROYD (Dewsbury): I beg to move, in page 1, line 7, after "county," to insert "or of any borough." I wish first of all to assure the right hon. Gentleman that this Amendment is not inspired by any avowed or by any concealed opposition to the Bill of which he is in charge, nor is there any intention in any way to thwart or cripple the operation of the Bill. But what I simply desire is this: that the Town Council of a non-county borough shall have the same power in the administration of this Bill as under its present framing is accorded to the county borough and County Council. This is a simple modification of the proposed administration of the Bill, and one which I hope the right hon. Gentleman will see his way to accept. During the discussion on the Instruction to the Committee last night there seemed to be a consensus of opinion that the County Councils were on the whole too massive and too distant a Body to consider with detailed accuracy all the questions that might arise in the consideration of the operation of this Act; and I think the right hon. Gentleman himself from his reply in that Debate did not say that the Parish Councils or District Councils would be less calculated faithfully to discharge their duties under this Act than the County Councils. But his objection to the Instruction was this—that the Parish Councils or District Councils were not in existence, and that the creation of such an authority to deal with this Bill might be fatal to the measure itself. But in the case of the Amendment

Mr. R. T. Reid

which I propose that argument does not apply, because we have in the councils of the non-county boroughs already an authority established which, in the general opinion of this House, it is agreed is an authority which may safely be trusted with the carrying out of this Act. I think it will not be disputed that the duties which are imposed on these Bodies already are far more weighty and more responsible than the duties which will be entailed by the administration of this Bill. I could submit that the capacity of Town Councils for carrying out the work in their boroughs is recognised by Parliament, and additional duties are constantly being put upon them in recent years. Public libraries have been authorised to be constituted and managed by Town Councils; and even in this Parliament, under the Technical Instruction Act, additional powers were given as to rating for that purpose, and so on. The right hon. Gentleman the President of the Local Government Board will remember, in the case of the Allotments Act, the Town Councils were constituted the sole authority for the administration of that Act in their own districts. The right hon. Gentleman need have no fear as to the general willingness of Corporations to undertake and discharge this important duty. Some two years ago, in a discussion on the Allotments Act, it was pointed out to the House that in the matter of the provision of allotments the Town Councils or the boroughs had faithfully discharged their duties, and had shown no reluctance whatever to carry out the allotments Act in their districts. It would be very hard indeed if those boroughs, more especially such as are of an agricultural character which have already provided free libraries and made ample provision for allotments, should be told by Parliament, "Notwithstanding the fact that you have administered the Act well and faithfully, we have no confidence in you. We distrust you, and would not leave to you the responsibility of carrying out this Act." I contend that the Town Council is the only proper authority for dealing with this Bill. It cannot be gainsaid that

Town Councils have a better local knowledge than any other authority for the purpose of this Bill; they know what boroughs are adapted for the purposes of these small holdings; they know the needs of the people, and what is most important; they have a knowledge of the individuals concerned. The persons who are authorised to administer this Act should have personal knowledge of the applicants, and should confer the advantages of small holdings only upon those who by their thrift and industry are well-known in their districts as being worthy to receive them. It may be argued that the rateable value of these boroughs would be very small, and that the limit which the right hon. Gentleman has fixed as the amount of purchase-money for these small holdings might militate against the extensive operation of the Act; but the right hon. Gentleman himself says that this measure is simply an experimental one; and if it be found that in the smaller boroughs the limit is too small, that amount can be extended by the County Councils themselves. Speaking to-day on behalf of these smaller boroughs, I may say that a very strong feeling exists in them, not against the Bill itself, but against the interference of County Councils in the administration of the affairs of boroughs which could be equally well carried on, if not better, within their own limits. This objection to the Bill is, I consider, a reasonable one; and it would be unworthy of those who have so long enjoyed such privileges if they were to silently acquiesce in the proposals of the Bill, which would have the effect of introducing an alien authority. I do not wish to magnify the friction which, more or less, exists between the smaller boroughs and the rural parts of the county, but we should not shut our eyes to the fact that this interference may possibly culminate in a very considerable amount of friction. The right hon. Gentleman seems, by the provisions of the Bill itself, to contemplate that a possible loss may arise out of it, and he has accordingly introduced certain restrictions to which I have already referred. Let me deal with two alternatives that may ensue after the passing of this Bill. Firstly

there may possibly be a great rush for these small holdings; and if that be the case, I should like to know what would be the feeling in those boroughs of an urban character, which would be brought under the penalty of subscribing to the deficiency that may arise? In the other case the rural boroughs might complain that this loss had arisen in consequence of the laxness of the County Councils in administering the Act, and contend fairly that they would themselves have been able to provide against such a deficiency occurring. The right hon. Gentleman will admit that there will be ample opportunity for the administration of the Act in the smaller boroughs, and it would be only equitable and fair that those boroughs should have the administration of it left in their hands. There seems to be an idea that the County Councils might possibly be able to administer the Act more carefully, because, under Clause 4, they are instructed to proceed by Committee, and that on petition inquiry is to be held. I would point out to the right hon. Gentleman that in the case of these smaller boroughs there would be no need of proceeding in this dilatory method, because the members of the Council would not only know how far the district is affected, but would be able to select those men who are best fitted to carry out the Act. I trust, therefore, that, in the interests of Local Government and in support of the franchise rights which boroughs now enjoy, all the friends of sound Local Government will support the Amendment I have now the honour of moving. In the interests of the Bill itself, I think my Amendment might be fairly agreed to, because there would then be a larger number of authorities empowered to administer the Act, which would be some guarantee for its success. I trust the right hon. Gentleman will see his way to accept it, proposed as it is in no unfriendly or Party spirit, and that he will thus prevent another blow being struck at those Local Authorities whose interests ought not to be jeopardised by their being forbidden to carry out this Bill.

Mr. Oldroyd

Amendment proposed, in page 1, line 7, after the word "county," to insert the words "or of any borough."—(*Mr. Oldroyd.*)

Question proposed, "That those words be there inserted."

*(3.45.) *SIR A. ROLLIT* (Islington, S.): I think it is desirable to say what I have to say upon the subject now rather than to do it hereafter upon similar Amendments which stand on the Paper in my own name. The view which the hon. Member has just put before the House is that which is entertained very strongly by the Municipal Corporations' Association of the United Kingdom, which represents the whole of the boroughs, both county and borough. So strong and general is the feeling in favour of the Amendment in this non-political Association that, when the subject was discussed, a resolution was passed unanimously asking that they should be all put on the same footing under the Bill. I am sure the right hon. Gentleman will accept this as a fact—that the Amendment is not put before the House in any hostile spirit. Speaking on behalf of the boroughs, I believe that the feeling in them is one of great satisfaction, both with regard to the Bill itself and the manner in which it has been introduced by the right hon. Gentleman. But the present question is really a most important one; it affects the integrity of the borough life of this country. I do not forget what has been said in this House, and at no distant day the general question may have to be again discussed. For the present, however, I content myself with saying that the feeling which still exists on the subject was strongly and well expressed in the discussion on the Allotments Bill, and experience has added to the conviction that the existing system is not advantageous in the interests of either one class of boroughs or of the other. The President of the Local Government Board on the occasion of the Allotments Bill recognised the right of boroughs to autonomy in dealing with such matters; he recognised their knowledge, their experience, and their interest in manag-

ing their own affairs, and the result has been that that Act is now working well and is giving satisfaction both in boroughs and counties. There are many points connected with small holdings which can best be considered locally, such as the situation and quality of the land, its adaptability for small holdings, the efficiency of the men who are going to cultivate it, and the methods of cultivation. These and various other matters must be considered, whilst it must also be borne in mind that it is certainly not desirable to stereotype too much any particular method of agriculture over the whole area of a county, especially those of very large area. I hope that in connection with these small holdings means will be found of quickening experiments on a small scale in agriculture, and therefore the local aspect of the methods of cultivation must not be lost sight of. Now, Sir, the old chartered boroughs which have done so much good work in the past desire to apply this measure for themselves. The right hon. Gentleman the President of the Board of Agriculture said recently that the only popularly Elective Bodies at present are the County Councils. Sir, I can hardly agree with that. The County Councils, well as they have done much of their work, are affairs of yesterday compared with many of the chartered boroughs, which have existed for centuries; and if the right hon. Gentleman supposes that the old boroughs will contentedly accept delegated powers to carry out matters confided to them by the County Councils he is very greatly mistaken. The right hon. Gentleman also said that the County Councils alone possess the necessary borrowing powers, but these words are ambiguous, and they appear to me to be somewhat misapplied. The borrowing powers of the boroughs are ample to meet the case. It is quite true that there is in the Bill a limitation of the amount chargeable on the borough rates to one penny in the pound, and I grant that in the case of some of the smaller boroughs there might be a difficulty in raising the requisite funds. Similar difficulty would, however, certainly not be experienced by those boroughs

whose population fell short by a few thousands of that of the county boroughs. The penny limitation will, I venture to say, be found disadvantageous to the working of the Act, and might well be increased for furthering that truly conservative work, the rooting to the soil of the men who till the soil. But, Sir, if there is to be a centralised authority there must be some check on the want of information and knowledge possessed by that body. On the other hand, if the services of men of long experience and local knowledge are obtained there will be no need of the penny limitation, which is one of the leading features of this Bill. If you decentralise and give to the old experienced boroughs a power of management over their own affairs there will be no need of this limitation. This provision, again, will operate most unfairly. A borough may or may not desire to have small holdings. If it does desire to have small holdings the Act will be carried out; and if it does not desire to have small holdings, why should it be taxed for the purposes of others at a distance? We all know of boroughs with corporate land which is let out for small holdings, land which has been managed for centuries by these boroughs, not always well, but now much better than before. A borough in such a position does not desire to exercise those powers. I take one borough in which the success of small holdings is one of the most notable and commendable features of the history of Local Government—I mean the borough of Nottingham, which has 180 acres of land that the Corporation years ago let out in allotments, thus initiating the system of small holdings. These people supply the best produce in the Midlands, and the holdings give occupation and pleasure to a large number of persons. Now, Sir, if a town possesses land and has power to do this work without expense, is it right to impose taxation upon it for the benefit of another locality in which it has not the slightest interest? The main point I want to impress upon the Committee is this—do not let us make the Local Government Act into a

centralising measure. That is at variance with its principle, which must be maintained; we must not make the Act a means of centralisation, but of localisation; and to that end the Amendment will be conducive.

(4.0.) MR. STORY-MASKELYNE (Wilts, Cricklade): This subject of the boroughs and their relation to this Bill is a very important one, and I should like to see the principle carried further than is proposed by the hon. Gentleman the Member for Dewsbury. All the arguments which have been used are applicable to the urban districts and to the smaller towns. There are a large number of towns with from 10,000 to 15,000 inhabitants to whom this Bill will come home more closely, as regards their immediate interests, than to the large boroughs whose case we have been discussing. It is for the rural boroughs that I plead, and if the right hon. Gentleman the President of the Board of Agriculture concedes anything in this direction he will open his arms to and include those boroughs. They are showing a deep interest in the Bill, and are anxious to share in its advantages. For example, in Swindon, which is in my constituency and which is one of the most thriving towns in England, the people are looking forward to this Bill in the hope that the Town Council may be able to deal with land in the same way as the County Council will be empowered to do. It is quite true that if you abstract from the rating area of the county those important places you have a smaller rating area. But after all a penny is not a very large tax on the county, and if you doubled that penny you would not make up the loss by abstracting the boroughs from the rating area. I do feel strongly the argument in favour of decentralisation, and if you do not make the area too small, decentralisation will be found to be the key to the working of these principles which are coming on the tapis, and with which we are now beginning to deal. We must not be jealous of the Local Authorities which are every day growing in power and in importance. They are centres of education, units of intelligence around which the county is crystallised; and I hope the right hon.

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Gentleman will show his sympathy with that decentralising idea and will recognise in some form the appeals made to him from various quarters of the House in no Party spirit on behalf of those boroughs, and in the interests of the legislation we are seeking to pass.

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): I quite recognise the desire of those representing the boroughs that they should be included in this Bill, and I can assure hon. Gentlemen that it is not because of any feeling of jealousy or unfriendliness towards those particular localities or Borough Authorities that they have not been included. I accept very gratefully the welcome assurances of my hon. Friend that this Amendment is not dictated by any feeling of hostility to the Bill but rather with a view to promote and strengthen it. At the same time my first duty on this occasion is to guard against any addition being made to the Bill which would in my opinion be likely to retard rather than advance its operation; and I will state to the Committee some of the reasons why, in my humble judgment, the Amendment should be rejected. In the first place, it appears to me that in an enormous number of cases if the boroughs were to be the authority empowered to acquire the land, present rate of a penny in the pound would be altogether insufficient, and the holdings would be so small as to be absolutely useless. I have only to run over the non-county boroughs, and I find borough after borough with an assessable rental of £9,000, £4,000, £3,000 and so on. The borrowing powers of these boroughs would be absolutely useless for the purpose of securing small holdings. They might borrow from £400 to £1,000, but it must be obvious to the Committee that under the present limited rate that we propose these sums would be wholly and totally inadequate for the purposes of this measure. If that is so, the Committee must recollect that while the boroughs would do no good to themselves they would detract from the powers of the County Council to make provision for small

holdings. Surely these are considerations requiring the serious attention of the Committee, and they are sufficient to exonerate me from any charge or even from any suspicion of having unduly or unfairly overlooked the interests of the boroughs, and of having been guided by any considerations other than those which are the genuine interests of the measure. It is certainly not because we cannot trust them. I am as sensible as anybody can be of the admirable way in which the work is performed by these Corporations. Then the hon. Member who proposed this Amendment laid great stress upon the greater knowledge of local circumstances which would necessarily be possessed by the boroughs. That is quite true; they have greater local knowledge than the County Councils. But the County Councils are expressly empowered, and indeed compelled under the clauses of the Bill, to make a local inquiry, and there can be no difficulty whatever in the County Council acquiring sufficiently accurate local knowledge to enable them at all events to acquire land in the most satisfactory manner. Now I hope the hon. Gentleman who proposed the Amendment, and my hon. Friend below the Gangway who asks us to make this concession, will observe that it has been practically admitted that if this concession is made and the Amendment added to the Bill it would necessarily involve an addition to the present rate of 1d. per £1. That is a step to which I could not consent, and upon which I am obliged to take my stand, because the amount of money is as much as we would be justified in raising in the first instance. As the Bill stands some ten or eleven millions of money may be borrowed; and surely that is a sum which is as large as we are justified in throwing upon the rates for the purpose of what is avowedly and admittedly an experiment. The hon. Member says it would inflict a blow upon the boroughs. But I would do nothing to inflict a blow upon the boroughs; nothing could be further from my intention than that, and I repudiate very strongly such an interpretation of the Bill and say it would have

no effect whatever of that kind. The hon. Member below the Gangway talked of the difficulty in agricultural districts of applying local restrictions, all of which would be much better done by the authorities on the spot, and he also referred to the case of those boroughs which have lands which are managed by them already. My hon. Friend forgets that for all purposes, except the actual acquisition of land, there are provisions in the Bill already delegating such management to the Local Authorities. I should be quite prepared, after we are done with the consideration of that part of the question, to consider the extension of those powers of delegation; but in every other single respect, except the acquisition of land, I am bound to say I still adhere to the opinion that the powers of the boroughs are adequate and sufficient. The hon. Member pointed out that it might operate unfairly upon some particular boroughs, and asked, Why should a borough that does not want to buy small holdings of its own be compelled to undergo taxation for other localities which do desire to do so? But the argument goes a step further; it affects the whole Bill, and, if it were carried out to its logical conclusion, we should be able to do nothing whatever in this matter, because the further question to be asked is, Why should any individual be rated for the purposes of this Bill who has not got a small holding himself merely because other people have got small holdings? That is an argument which goes to the very root of the whole matter. For the reasons I have stated to the Committee, I think they will see that we have, in adopting the course we have taken, acted not without good reason. We have done it because we believe the Bill is far more likely to have a good effect, drawn as it is at present, than if we accepted the Amendment of the hon. Member. He talks about matters to which, perhaps, he may not have given so much attention as we have done, and I hope the Committee will support the Government in their Resolution.

(4.15.) MR. ROWNTREE (Scarborough): I regret the right hon. Gentleman the President of the Board

of Trade is not here to appeal to on this matter. I should be very reluctant to support any Amendment which would be calculated to retard the progress of this Bill, and I believe the acceptance of this Amendment would most distinctly promote the purposes which this Bill has in view. And this is no sentimental difficulty on the part of the towns. Even if it were a matter of strong sentiment, I think there is very much to be said for it. We should do all we can to promote a feeling of honest pride and interest in the self-government of the smaller communities of our country. This is a matter by which, if this Bill is passed into law, 260 self-Governing Bodies in England will be made liable to additional burdens under the County Authorities. The right hon. Gentleman the Minister for Agriculture says, "Why is this to be distinguished from making one individual liable for the burdens entailed on others?" Surely everybody will agree that there is a very wide distinction in this matter. We are continually told that we of the towns are very lavish in our expenditure and that our rates seem to be of very considerable amount. No doubt it is perfectly true that the rates of boroughs are large, and we are all of course compelled, by sanitary measures, by educational measures, and in other ways, to call largely upon our ratepayers. But is it quite a just answer to say that ratepayers who are at present subject to rates of something like 6s. in the £1 are to be made liable to a further burden of 1d. in the £1 in order to provide small holdings in agricultural districts which are rated at 1s., 2s., or 2s. 6d. in the £1, those districts being perhaps 30, 40, 50, or 60 miles away from the town? You are by this Bill inviting the County Authority to come into the municipal area to purchase land, to sell land, to build houses, and to lay down conditions for the building of those houses, and all that without necessarily implying any negotiations whatsoever, or any communication whatsoever with the Governing Body of that municipal area. I venture very respectfully to put to the Committee the considera-

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tion that that position of things cannot possibly promote the easy and smooth working of this measure. Further than that, will the Committee consider how very many of our boroughs have very large districts of land within their municipal area? And I may confidently suggest that we are much more likely to give effect to the provisions of this Bill if power is entrusted to the boroughs than if it is handed over to the County Councils 40 or 50 miles away. I regret that the noble Lord who represents Colchester (Lord Brooke) is not present in the House, for he could have given us some information on this matter. But in the absence of the noble Lord, I would simply say that I have a letter from the Chief Magistrate of Colchester pointing out that they have 11,000 acres within their municipal area, and no less than 64 agricultural villages in the Municipality. I believe no gentleman who knows the facts will at all suggest that the Corporation of Colchester have in any way whatsoever been lacking in the attention which they ought to have given to the well-being of these agricultural villages, but that, on the contrary, they have done very much for the well-being of the people. Why should this House by this Bill say the Corporation of Colchester, with a rateable value of £150,000, is to be put to one side and told that the County Council is to see to the extent of the small holdings within their municipal area? That is a very strong attack upon the self-government which such boroughs prize so highly, and which has answered its purpose so well. But there are other towns which have larger areas even than Colchester. Why should not these boroughs be able to put this Bill in force within their own areas for the benefit of their own people, and why should it be needful that some County electors within their borough should have to forward a petition to the County Council, asking them to send a roving Commission to ascertain the wants of the population under their own self-government, which has been working satisfactorily generation after generation? Take the case of the borough of Scarborough, which I have

the honour to represent. If it is thought desirable for our town to endeavour to increase its estate, to add small holdings to the allotments which we have already, or to make experiments for the disposal of our sewage or refuse, why should we, a borough with a rateable sum of £180,000 and 33,000 of a population, have to send an humble request to the County Council of the North Riding, 50 miles away, asking them if they will be so good as to come and look into the circumstances of our borough? I venture to think it is most undesirable that we should have to do so. I do trust that the Government will consider this matter further. We do not wish to raise the general question, but I would earnestly appeal to this Committee to do nothing to impede the working of this Bill in the areas of towns, but to enable us to work together for the object which I believe this Committee has in view.

*(4.23.) **SIR W. BARTTELOT** (Sussex, North-West): I can only say, if my right hon. Friend in charge of the Bill had allowed this question to pass, and said he would accept this Amendment, difficulties would have immediately arisen with regard to the various people who would have been left out in the cold if you had admitted the boroughs. My experience of boroughs is that they conduct their business exceedingly well, and in a manner that does them unqualified credit; but there are certain things which we are bound to do, although we may regret them. The hon. Gentleman who has just sat down has put forward a strong case with regard to Scarborough with its £180,000 of rateable value. But before that he passed rather a slighting remark upon we poor unfortunate agricultural people, who have to pay 3s. or 4s., or even more, in the £1, when we are not making one single farthing out of the land we hold. I am stating the absolute truth. If people would look into these balances and accounts and make a fair statement of what is the amount that is made upon the present prices of agricultural produce, I venture to say they would be astounded at the present position in which many are placed.

The local rates we are called upon to pay are enormous, and the difficulty we have in finding the money to meet them is exceedingly great. I objected most strongly when my right hon. Friend placed 1d. upon real property. I think that those who have personal property might be called upon to pay their full share with regard to this rate. We only show our heartiness in the cause which we desire to support, but we say this should be taken out of the Consolidated Fund and not put upon the rates. If you are to look at the boroughs, and those whose rateable values are excessively small—and they are very numerous—you should also look at some of those towns which are managed by other Local Bodies, and see how much higher their rateable values and how much larger their populations are. As my hon. Friend the Member for Swindon pointed out, you would never have them satisfied until they were taken out of that category and placed in the same position as county boroughs are placed in by the Bill, and as it is now sought by this Amendment to place all other boroughs in. There is another question. It has been said they have no representation. I would like to point out that the larger the town the greater the representation it has upon the County Council. And I will venture to say in any County Council the voices of the towns will be heard, as they have been heard during the last three years, more strongly than the voices of the county, and they will point out what it is they require, and those requirements will have the careful consideration of those who deal with the questions which are brought forward. I would only say, further, that I am delighted to find that my hon. Friend stands firm to his guns, because I am quite certain the most mischievous thing that could have been done would have been to give encouragement to this Motion. I venture to think that those boroughs which are below the mark must wait till they are above the mark; and when they are above the mark and become counties, they will receive the benefit of all those things which have been pointed out. If my right hon.

Friend should think it necessary to extend the delegation of powers to rural Local Authorities, I hope he will be careful, especially with regard to rating, as to how any power is delegated to any small authority.

(4.30.) MR. R. T. REID (Dumfries, &c.): The position of the non-municipal boroughs is that they are kept within the purview of the County Council so that they may contribute to the rate. As the rate is limited there will not be sufficient money to provide for the wants of all places, and if there be a conflict between a rural borough, five or six miles in the country, and a thriving, prosperous town as to which shall have holdings provided, does anyone suppose the rural borough will have any chance at all? Practically, boroughs kept in the county for this purpose will have none of the benefit, but will have to pay their full share of the burden. The right hon. Gentleman says that for the purpose of this Bill we must tax many people for the benefit which only one will receive. I agree that is so, but I think he will hear more of that in the Debate, because some of us hold that it is wholly unwarrantable and unjustifiable, except on the condition that some equivalent is given to the others.

*(4.33.) MR. WYNDHAM (Dover): As the Representative of a populous but non-county borough, I listened eagerly to the speech of my right hon. Friend the Minister for Agriculture, in the hope of being able to reconcile my constituents to his refusal of the object which they all desire. But my task will, I fear, prove a hard one. The non-county boroughs view with jealousy every fresh sphere of action from which they are excluded, and now that the question of small holdings is receiving the attention of Parliament they are anxious to manage their own affairs in that matter, and not to have the County Council placed above them in everything. My right hon. Friend has based his refusal solely on financial grounds; he says that the non-county boroughs will not have enough funds to do the work for themselves, while withdrawing them from the county would cripple the County Council. The distinction between county and non-county boroughs is purely arbitrary;

it is based on population, and not on financial grounds, and the non-county boroughs will say, "How much more does the independence of the county boroughs limit the funds at the disposal of the Government for their scheme, as they have greater wealth, and can use it or not as they choose?" I do not know if my right hon. Friend sees his way to make any change in the direction of lowering the population limit, so as not to make the non-county boroughs which are able to deal with the question subservient to the County Council. If he would make a concession in that direction the Representatives of non-county boroughs would have an easier task before them. But if he should hold that any such step would cripple the financial basis of his scheme, I am so anxious for its success that I would accept his view in the matter in preference to my own.

(4.35.) MR. JESSE COLLINGS (Birmingham, Bordeley): This matter has been argued mainly from the point of view of the large non-county boroughs, but there are many small boroughs of 3,000 or 4,000 inhabitants, which are packed with agricultural labourers, and what is their position? At present any one of these labourers can go to the County Council and ask for land, and the County Council may make inquiry with the view to putting the Bill in force, so benefiting the people it is intended to benefit. The Amendment proposes to take this class of people and say that they shall only benefit to the extent of the rating power of their own borough. That is putting the agricultural community outside the Act altogether. I hope, therefore, less importance will be given to the large non-county boroughs, which, after all, are not injured in any way, and that attention will be given to the wants of the labourers and others who are packed in these small boroughs. The hon. Member for Islington does not say a word about Local Board districts which have sometimes populations of 30,000 or 40,000. A similar Amendment was moved to the Allotment Bill of 1890 by the hon. Member for Finsbury, and great stress has been laid on the fact

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that it was accepted by the President of the Local Government Board on that occasion. But it was accepted with great reluctance under the pressure of hon. Members who represented small boroughs. He knew it was damaging to the Bill. The hon. Member opposite said it acted very well; it acts very badly and inflicts a grievance on the labourers in these small boroughs in this way: where a Sanitary Authority will not put the Act in operation the labourers can appeal to the County Council, who will compel the Sanitary Authority; but in these small agricultural boroughs where the Local Authority has declined to put the Act in force the labourers have no remedy. I think that should be sufficient to sustain the right hon. Gentleman in his determination to keep the Bill as it is, and I heartily trust that in the interests of the labourers he will do so.

(4.40.) MR. A. ACLAND (York, W.R., Rotherham): I want to ask the right hon. Gentleman how the Bill is going to work if he does not accept some provision of this kind? The hon. Member for Islington is quite right when he says it raises important Local Government questions. The feeling of many of these boroughs and Local Board districts of 30,000 and 40,000 inhabitants as to the working of the Technical Education Act is a growing one. In the West Riding the money was given to the County Council for the purposes of the Act, and they keep it in their pocket and the boroughs have not been able to get it out. If in the West Riding the right hon. Gentleman withdraws boroughs of 30,000 and 40,000 and Local Board districts of 10,000 or 15,000 there would still be left sufficient agricultural areas equal to many in the South-west and centre of England. These boroughs and districts would then have a fair chance of saying whether they would rate themselves on behalf of the labourers. But if he leaves within the county a borough, like my own, of 40,000 and two Local Board districts of 10,000 each, none much interested in small holdings but all deeply interested in having no penny rate, he will not give the agricultural part of the West Riding a fair

chance of working the Bill at all. The right hon. Gentleman should consider from the point of view of the West Riding and Lancashire whether he will not withdraw some of these large boroughs.

(4.43.) MR. M'LAREN (Cheshire, Crewe): It seems to me that under the Bill as it stands the non-county boroughs and large Local Board districts will have to pay a very heavy share of the rates which are liable to be levied to make good deficiencies under the Act, and at the same time cannot hope to reap any benefit. I think they should have exemption. The case is not so strong for the Local Boards, as if they feel aggrieved they can take steps to become municipal boroughs, and I should be sorry to see the Bill complicated by leaving out Local Board districts over a certain population. Non-county boroughs will have to pay without getting any appreciable benefit, and I think that is a material injury which the Bill proposes to inflict upon them. The Corporation of the place I represent feels very strongly on the matter, and I trust the right hon. Gentleman will consider the arguments which have been put before him.

*(4.45.) MR. T. H. BOLTON (St. Pancras, N.): The tone of the Debate has rather disappointed some of us who desired to see the power of the County Councils extended. When the Local Government Bill was introduced it was proposed to exempt from the county only the large boroughs of 100,000 inhabitants, but the President of the Local Government Board had to give way to similar pressure to that being exercised now, and extend the exemption to 50,000. Since that time, whenever a measure has been brought before the House dealing with a question in any way affecting the powers of the County Councils, there has been an attempt to exempt municipal boroughs from the jurisdiction of the County Councils. That is altogether destructive of the principle on which the County Council Act rests. The desire was to relieve Parliament of such work as could be done by representative local assemblies; and it was hoped that the County Councils would be very much strengthened with that object. Now it is pro-

posed to exempt boroughs from the control of County Councils in relation to the provision of small holdings. Under these circumstances, do not let it be said that hon. Gentlemen opposite are the opponents of local self-government. The proposal comes from, and is supported by, many Members on this side, and arises entirely from the action of hon. Gentlemen representing small Municipalities. Many of these Municipalities control what are practically mere villages, while larger populations, represented by District Boards, would have to accept the control of the County Councils. If you exempt these Municipalities, you must exempt Local Board districts also, and so deprive the County Councils of a great deal of their power and usefulness; creating a patchwork system destructive of efficiency. I rose to point out that the proposal to exempt non-county boroughs is a retrograde step in Local Government. Our object should be to strengthen the County Councils and give them fuller power, and at the same time to create other Local Bodies, such as District Councils, and to revise the parish assembly, so that there can be co-operation between these bodies, the final control resting with the County Council—the greater representative body—in order that there may be uniformity and satisfactory financial arrangements, which would be fair to all parties. The proposal now before us is so retrograde that I hope the right hon. Gentleman will not accept it.

*Mr. AINSLIE (Lancashire, N. Lonsdale): I rose to say very much what the hon. Gentleman just said. In the discussion on the Local Government Bill, the hon. Member for Carlisle (Mr. Gully) desired to have his city among the county boroughs. At that time I rose—anxious for my large County of Lancaster—to protest against the frittering away of the county proper. If the principle sought by this Amendment were carried into effect, our counties would present a patchwork which I think would be almost unrecognisable by a schoolboy fresh from his maps. I think the Committee will do wrong if they accept this Amend-

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ment, and I rise to protest in the name of my Division of the County of Lancaster, which has not got one of these boroughs in it.

(4.52.) Mr. MORTON (Peterborough): We have just listened to two Tory speeches, one from each side of the House, and I gather from the hon. Member for St. Pancras (Mr. Bolton) that he is in favour of centralisation and therefore opposed to Parish Councils. I happen to represent one of these non-county boroughs which is in favour of the proposal embodied in the Amendment, and it appears to me that the time has arrived when the Minister for Agriculture might give way on this matter, which is not a Party question. I think this is a matter which the non-county boroughs might be left to manage for themselves, because, as a rule, they manage their business very well. In my own city we have a bishop, a cathedral, and a river, and we manage these things very well, and I think we could also manage the business imposed by this Bill. I trust the President of the Board of Agriculture will not waste the time of the House any longer, but will give way now with good grace, for he will have to give way in the end.

*(4.54.) Sir W. FOSTER (Derby, Ilkeston): I should like to suggest, as there is a large amount of feeling in favour of populous places being taken out and allowed to act by themselves, that some kind of compromise is desirable. I quite agree with the hon. Member for Bordesley that there are many small boroughs where agricultural labourers live which ought not to be excluded from the operations of the County Council, for in these places we consider that the County Council is the most suitable body to administer this Act. But in the larger places of 10,000, 15,000, or 20,000 inhabitants I think the Local Authorities might be safely left to act for themselves. If the right hon. Gentleman would put a limit of 20,000 or 25,000, though I would prefer it at 10,000, he would meet the views of many Members on both sides of the House.

(4.55.) Viscount GRIMSTON (Herts, St. Albans): I should like to point out that if the County Councils were pre-

vented from drawing some portion of the rate from these small boroughs they would not be prepared to place the population of these boroughs under the operation of this Bill. That would be a check on one of the first principles of the Bill, and I hope that the right hon. Gentleman will adhere to the Bill in its entirety.

(4.56.) Question put.

The House divided:—Ayes 174 ; Noes 210.—(Div. List, No. 69.)

(5.10.) MR. CHANNING (Northampton, E.): I beg to move, in page 1, line 7, after "is," to leave out "Act," in line 10, and to insert—

"In any parish or parishes within such county, a demand for small holdings."

The object of this Amendment and of another Amendment which stands in my name further down on the Paper is to enter a sort of qualified protest against the form in which the Bill is drawn, and which might lead County Councils to buy land in large blocks in some parts of the county with the view of an experiment being carried out there rather than to localise the experiment by making the small purchasers of land in a greater number of parishes or areas in the county. The two Amendments that stand in my name amount to this: that where a County Council is satisfied that there is a desire for small holdings in any specific parish or parishes in a county, that then the procedure of the Act will be set in motion in order to provide within such parish or within adjoining parishes, or at any rate within reach of those who locally require the lands, that their purchases should be directed to supply that local demand and local requirements; and that the County Councils should not by the form of the Bill be led to enter on an experiment in one or two parts of the county by buying a large block of land. I do not know that I should be justified in discussing an Amendment of this nature at any length; but I wish to move it in order to elicit from the right hon. Gentleman such a statement of his intention with regard to the distribution of the money in large areas as will indicate whether, if this particular Amendment cannot be accepted, he will himself deal

with the question which I wish to raise—namely, where there are local wants that these local wants shall, as far as possible, be supplied locally, and that the action of the County Councils shall be directed to the local provision of land rather than to one or more experiments of blocks of land. I beg to move the Amendment which stands in my name.

Amendment proposed, in page 1, line 7, after the word "is," to leave out the words to "Act," in line 10, and to insert—

"In any parish or parishes within such county, a demand for small holdings."—(Mr. Channing.)

*(5.12.) MR. CHAPLIN: The effect of the hon. Member's Amendment if adopted would be to limit the powers of the County Councils for the acquisition of land to the parish or parishes in which the persons who applied for it resided or to which they belonged. Well, I do not understand why we are to limit the powers of the County Councils in this direction. The County Councils, no doubt, will attend to local requirements, and it must be assumed that this is one of the main and chief objects of the Bill; and I think there is no reason to suppose that the County Councils will not perform their duty, so that there is no reason for excluding the power from the County Councils of taking land in other parts of the county. The Amendment proposed by the hon. Member is a distinct limitation of the power of obtaining small holdings for people who want them. We must assume that the County Councils are composed of men of business who thoroughly understand the work they have to do; and I cannot see anything more unsatisfactory or more prejudicial to the general scope of the Bill than to limit it in this direction. I hope the hon. Gentleman will not persevere with his Amendment.

MR. CHANNING: I will not press the Amendment to a Division, or press it further. I beg to withdraw it.

Amendment, by leave, withdrawn.

(5.16.) MR. JESSE COLLINGS: I beg to move the Amendment which stands in the name of my hon. Friend the Member for East Somerset (Mr. Hobhouse), in page 1, line 8, to leave

population, but that it was not meant to be applied exclusively to agricultural labourers. The right hon. Gentleman, I understand, practically admits that. Might I suggest that he should put in the words "and others" after "labouring population"? (Laughter.) The right hon. Gentleman laughs, but I may remind him that in the Glebe Lands Act the words "cottagers, labourers, and others," were inserted, thereby indicating that the Act should be applied to some others. I think the object of the Bill is for the benefit of the labouring classes in the main, yet I think that other classes, such as shopkeepers and others, have a perfect right to derive benefit from the Act.

(5.25.) VISCOUNT GRIMSTON: This Bill, I think, obviously includes blacksmiths and others of that description; and the obvious object of the Bill is to put on the land such persons as are capable of using it being benefited by it. I think the Bill ought to contain the words as they now stand.

(5.26.) MR. HALLEY STEWART (Lincolnshire, Spalding): In the small towns and boroughs there is a large population of clerks, about whom no one has yet said a word. Take the law clerks, for instance. Why should not the law clerks in boroughs, and the clerks engaged in shops, and the shop assistants be included in this Bill? They are amongst the labouring population; and I venture to think that the curates in some instances might also be included as belonging to the labouring population. I hope all these limitations will be removed so as to provide for the inclusion of all these classes if it is thought necessary.

(5.27.) MR. WHITBREAD (Bedford): I think the intention of this measure is clearly that the agricultural labourer is to have the first chance. I will not go into the question of whether clerks or curates should have a share in the land; but I say that the labouring population have the first claim. It is to prevent them from floating into the towns that Parliament has embarked upon this sort of legislation; it is to meet their needs, and they have the first claim. I want to know what sort of a claim the labouring population are going to get out of

the money at the disposal of the right hon. Gentleman. I should like to know what the right hon. Gentleman is going to get out of his penny on the average valuation of the agricultural districts. It is the labourers who have the first charge, the most urgent claim, and therefore I desire to keep these words in the Bill. If you can satisfy their claim, and still have money to purchase land to give to other classes, I do not at all object to the Bill being changed in that sense; but I think the right hon. Gentleman should hold fast to these words.

(5.29.) MR. STEPHENS (Middlesex, Hornsey): I hope the words "for the labouring population" which have been introduced into the Bill for the purpose of carrying out its main object, which is to retain the labouring population in the rural districts will be allowed to remain. My hope to-day is that we may be able to create a peasant class by lifting the labourers out of the terribly dependent position in which they are now situated. Hitherto they have had no resources, but if they had a small amount of land upon which they could fill up their time, it would be a source of benefit to them and a relief to the farmers who employ them. By devoting their spare time to the cultivation of their acre of land they would be able to get a considerable produce, but the moment they went beyond that limit and kept a horse they would be taking a hazardous step, for the cost of keeping a horse is equal to the whole income of the family of an agricultural labourer. Therefore I think it extremely important to retain the words "labouring population."

(5.33.) MR. SEALE-HAYNE: It is obvious that the words "labouring population" restrict the benefits of the Act to actual working-men. Now what actual working man has sufficient capital to enable him to pay one-fourth of the price of a small holding? There are very few such men in existence. The right hon. Gentleman announced, when he introduced the Bill, that it was intended to create small freeholders. But how are you to create small freeholders unless you extend the operation of the clause to those

who have the money to pay for the holding?

(5.35.) MR. HALDANE (Haddington): There are nearly three Parties in this House who would deal differently with this matter. There are those who would restrict the operation of the Bill and make it too fine; there are those who do not wish to restrict it at all; and there are also the Government who do not wish to be judged by the Bill, and who have introduced words into it that are not wanted. I think the drafting of the measure would be considerably improved if the words in question were left out. The Government evidently do not mean to restrict the application of the Bill to the labouring class.

*(5.37.) MR. CHAPLIN: The matter is not one of vital importance, it is only one of detail. The words it is proposed to strike out would not exclude from the benefit of the Bill any class which hon. Government opposite would like to include. If I had had the slightest idea that they would have done so, I would either have accepted the Amendment, or I would myself have moved to omit them. The words are only intended to generally indicate the class for whom the Bill is intended, namely, the labouring population of the country. If there had been no demand for the Bill on the part of that population it would not have been brought in. The class intended to be benefited is mentioned in the 4th clause of the Bill, and I hope the words will be allowed to remain.

(5.40.) MR. H. H. FOWLER: The right hon. Gentleman was rather severe on me this evening for presuming to question the accuracy with which the Bill has been drawn. We have got into a position, as the hon. Member for Haddington has observed, in which there are three parties in the House who attach different meanings to the words in question. The right hon. Gentleman asks us, in the interest of saving time, to pass them over although their precise meaning is not understood by the great portion of the Members of the House. The right hon. Gentleman has said that his intention is that no class should be ex-

cluded from the benefit of this Act. Why are these words to be introduced if they mean nothing? Judges will not look at the pious intentions of the Legislature; they will take the words which they find in the Bill. The County Council is to decide, first, whether there is a demand for small holdings for the labouring population. Now, if that means anything, it means that they are to decide whether the labouring population demand small holdings for themselves. The clause does not go on to indicate, as you would expect, that they shall enable the labourers to acquire them if they require them. It has been stated that it will enable everybody to acquire them. Now that is what we want. Then why leave the words in? I hope the right hon. Gentleman will reconsider this matter, and decide to leave them out for they have no meaning whatever.

(5.43.) MR. ROBY (Lancashire, S.E., Eccles): I would ask the right hon. Gentleman to insert in the twelfth line of the clause the words "farm labourers and other persons," which I believe would cover the classes intended to be covered, and would remove ambiguity.

*(5.44.) MR. WINTERBOTHAM: I have not heard any answer given to the argument of the right hon. Gentleman the Member for Bury. I do not think that the right hon. Gentleman the Minister for Agriculture can have weighed what that right hon. Member put so clearly. We all agree that the labourers should first and foremost benefit from the Bill, but others should not be excluded who desire to occupy land for cultivation.

(5.45.) MR. J. CHAMBERLAIN (Birmingham, W.): I scarcely think it will be necessary to go to a Division in regard to a matter of such small importance. Either these words mean something or they mean nothing. If they mean nothing there can be no objection to striking them out; if they mean anything, then I strongly object to them, and I would request the right hon. Gentleman to leave them out. Of course this is a Bill for the benefit of the labouring population; it is also a Bill for multiplying small holdings, and

Mr. Seale-Hayne

are anxious that it should be a great social reform. Whether the small holder is a blacksmith, a small shopkeeper, or a labourer does not affect the matter in the slightest degree; therefore, I should exceedingly regret if anything were done, either intentionally or advertently which in the slightest degree would restrict the classes to whom small holdings should be given.

MR. CHAPLIN: I am very anxious to meet the views of the Committee in this matter. I will assent to the insertion of the words "and others," after the labouring population," which have been suggested.

(5.48.) MR. ASQUITH (Fife, E.): It is well known to all persons who are connected with the legal profession, or who are engaged in Courts of Law, that there are no two words in the English language which have given more trouble to the Judges than the words "and others." They may mean persons of the same class, or persons of a different class. If they mean persons of the same class they are utterly unhelpful. If they mean persons of a different class then a Judicial Body has to discover some class to which they might possibly apply. I trust the Government will re-consider the desirability of inserting words which might be appropriate enough in dealing with the Preamble of the Bill, but which otherwise must obscure its meaning and defeat the intentions of Parliament.

MR. CHAPLIN: As the meaning of the words does not seem to be satisfactory to the Committee, and as I have never attached any importance to them, I will assent to the Amendment as it stands on the Paper.

(5.50.) Question put, and negatived.

SIR W. FOSTER: I beg, Sir, to propose in page 1, line 10, to leave out the word "may" and to insert the word "shall," and I do so with the view of bringing this measure into closer harmony with the Allotments Act. The clause as it stands gives a double permissiveness. If the Council are of opinion, after deliberate inquiry, that it may be necessary, they may proceed to create these small holdings. I propose that the word "may" should be altered to the word "shall," which

is the word in the Allotments Acts. I believe the Bill would be improved by the alteration that I suggest.

Amendment proposed, in page 1, line 10, to leave out the word "may" and insert the word "shall."—(Sir W. Foster.)

Question proposed, "That the word 'may' stand part of the Clause."

MR. CHAPLIN: This Amendment would involve the question of compulsory powers.

*MR. WINTERBOTHAM: The right hon. Gentleman is entirely mistaken. The substitution of "shall" for "may" does not at all involve the granting of the compulsory powers dealt with in a subsequent Amendment. The right hon. Gentleman said last night that "may" and "shall" are interchangeable terms involving the same meaning. We merely appeal to the right hon. Gentleman to carry out his own dictum. The word "shall" inserted here simply means that a county, as soon as they have decided that they are justified in putting the Act in force, shall go on to provide suitable land.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The real question is what construction would be put upon the word "shall." There are Acts in which "may" is read "shall." These are Acts in which a public duty is involved and some latitude given. If this word "shall" is here inserted, County Councils having only a limited power of purchasing a certain amount of land must buy. If it does not involve the question of compulsion the word "may" is the proper word, because that will leave the matter to the discretion of the County Councils. This is not a case in which on a question of construction the word "may" would be read as "shall."

SIR W. HARCOURT (Derby): I cannot think that the right hon. Gentleman the President of the Board of Agriculture is right in saying that this involves compulsion. The words immediately after the word "may" are, "subject to the provisions of this Act." If the words are voluntary and not compulsory, the word "shall" would not have a compulsory effect so far as the sale of land on the part of

the owner of land is concerned. If you leave the word "may" there, though the County Councils could by voluntary arrangement with the owner acquire land, yet they may not do so. There is nothing more absurd than the legal decisions of the Courts of Law as between the words "may" and "shall." The matter ought not to be left in a condition of ambiguity. It is said that this Amendment does not leave it open to the County Council to take land which it may acquire voluntarily. Therefore, I wish to clear up the idea that this involves compulsion.

*SIR R. WEBSTER: I really think the ambiguity would be increased if the word "shall" was inserted. The section is to enable County Councils to acquire land "subject to the provisions" of the Act. I admit that the word "shall" would not involve compulsion. All that is required to make the section read properly are enabling words, and the word "shall" would require to be followed by the words "if possible."

MR. LLEWELLYN (Somerset, N.): The words as they stand are clear enough.

*SIR W. FOSTER: I should like to withdraw the Amendment in the interests of the progress of business.

Amendment, by leave, withdrawn.

*SIR W. FOSTER: I shall now, Sir, move an Amendment, providing that the Council may acquire land either by voluntary agreement or compulsorily. If this experiment is not to be foredoomed to failure, we should take every step that is possible to insure that land is acquired under such conditions as will enable the Council to sell or let it to the agricultural population on easy terms. If the land is to be obtained at an advantageous price there must be compulsion. I do not want to harass the landlord, for compulsory powers in the background would be seldom used. If compulsion is not in the Bill the land will not be obtainable at a fair price. The experience of the Allotments Act is not favourable and encouraging to the attempt to acquire land voluntarily. Small holdings must, moreover, be diffused throughout the country. They must not all be placed in one locality. Therefore, if you have

one landowner willing to sell to the extent of the financial powers of the county, others may not be so minded, and the land will not be, as it ought to be, distributed all over the county. Again, landlords may refuse to sell, and the Act may thus be rendered nugatory by the action of a few owners. Further, the expense attaching to proceeding under agreement as in the Allotments Act is great. As much as £90 an acre has been paid on the average. It is a prohibitive price that would bring about the failure of this Bill. The rates, moreover, must not be burdened by the purchase of a large quantity of unsuitable land, because in such a case as the purchase of large parcels of land from owners unwilling to sell suitable portions alone, much of the land would require to be sold at a considerable loss. The right hon. Gentleman the Minister for Agriculture said he was a convert on the question of the application of the principle of compulsion to allotments. I hope he will be a convert in connection with the Bill before us. The people in the country are agitating for the insertion of compulsory powers in this Bill, believing that an Act with compulsory powers would do something to arrest the depopulation that is now going on in the rural districts. Having attended Conferences in various parts of the country, I have been very much impressed by the earnestness with which a stand has been taken on behalf of the labouring population for compulsory powers to be put into this Bill. The teaching of the right hon. Member for West Birmingham and of the hon. Member for Bordesley has taken deep root in the minds of the people in the rural districts, and I believe no legislation of this kind will give them what they want—access to the land on easy and fair terms—unless that legislation contains the principle of compulsory purchase.

Amendment proposed, in page 1, line 10, after the word "may," to insert the words "either by voluntary agreement or compulsorily."—(Sir W. Foster.)

Question proposed, "That those words be there inserted."

(6.12.) MR. BARCLAY: I do not believe it would be possible for any man to make a living with farming land bought by compulsory purchase. It is very well to say the compulsory price is 10 per cent. over the fair price; but those who have acquired land by compulsory purchase will agree with me in saying that the increase in almost every case over the fair price is from 25 to 50 per cent. Members must recollect that it is desirable to have land in the neighbourhood of villages and towns, and valuers do take into account the possibility of such land becoming building land. The additional price due to compulsory purchase does not make so much difference to a labourer who is working on only a fourth or an eighth of an acre of land; but when you come to 20 or 50 acres, the excessive price due to compulsory purchase would more than swallow up any profit made upon the land. I do not think compulsion would have the same effect as the case of the sale of small holdings in the case of allotments. For instance, the sale of land by allotment is rather a retail business which the landlord does not care to be troubled with unless he is compelled to do so. The success of this Bill depends entirely upon the landlords being as willing sellers as the County Council could be willing buyers. It is of essential importance to the success of this Bill that the land shall be bought cheap, and, in very many counties in England already, land can be bought at an extremely low figure. Within a few miles of London you can buy land for 10 an acre which would be suitable for these small holdings. In such cases this Bill would have a beneficial effect, not only with respect to the labourers, but also with respect to every other person in the community. I do not think we would be doing any service to the agricultural labourers if we induced them to take land acquired under compulsory terms. I would impress upon Members of the House that the increase of the value of the land to the agricultural labourer depends more upon the climate and situation with reference to the market

than on considerations as to the quality of the soil. I cannot speak so much for England, but I know that in Scotland the holdings might be as large as 30, 40, or 60 acres. But if it is attempted to purchase such holdings upon compulsory terms, then it must be impracticable for the cultivators of those holdings to live upon them. Under the economic conditions now in force, the low prices of agricultural produce, and the steady increase of wages, it looks as if only the finest land in England will be worth an economic rent. I would certainly deprecate strongly the insertion of compulsory powers in this Bill.

(6.16.) MR. JEFFREYS (Hants, Basingstoke): I would ask my right hon. Friend the Minister of Agriculture to resist the demand for compulsion. I would remind the House that a Committee of the House reported that if you had compulsion you would be doing a great injury in many cases to landowners. But I think you would be doing a great injury to small farmers when any land is wanted. I do not think land which is now sold at £10 an acre will be land which the labourers will want. They know that the land is no good, for people cannot make anything out of it. What they want is the best land they can get, and it would be very hard upon the farmer that you should compulsorily take away the best portion of his farm, especially when that farm is near a village. I would remind the Committee that farmers themselves feel very strongly on the subject. This morning I attended a meeting of the Central Chamber of Agriculture, and a resolution was unanimously passed against giving these compulsory powers. Although I am all in favour of small holdings, and hope and believe we shall be able to get them by the voluntary sale of land, I hope the Committee will not sacrifice the small farmers and small owners by taking away the best portion of their farms in order to make these small holdings.

because I was not at that time a member of the Government. But I specially supported it because allotments were proved and ascertained to be for the public good, and of that I had not the shadow of a doubt for a moment. With regard to the provision for small holdings, I do not think there is any Member of the House at present who will be bold enough to say more than this: that they are an experiment, and that the Bill which is now upon the Table of the House contains proposals which must be regarded as an experiment, but which we all hope, and think there is reason to expect, may succeed. There is that complete difference between the two cases which, there were nothing else to be said, could be, in my opinion, quite sufficient to justify the distinction in the action of the Government in the one case and also in the other. There is another reason in addition: that the power of compulsion at the present moment is absolutely unnecessary. I stated on the First Reading of the Bill, though the hon. Member appears altogether to have forgotten it, that the quantity of land in the market for sale at the present moment was something remarkable, and that the difficulty was rather on the part of the owners of land to find a market for their land than to induce them to sell it. I had some figures given to me only yesterday, coming from a single firm, dealing with this question. I have mislaid them at the present moment, but I collect them sufficiently well to state them generally to the House. This is a firm who, during the last three years, sold some 67,000 acres of land in England alone out of 375,000 which they had at their disposal, but for which they were unable to find purchasers. If you take the number of eminent firms who have land at their disposal and multiply the number of acres which they succeed in selling, at the same proportion, you will find that there is in the market at the present time waiting for purchasers an amount of land which makes the idea of compulsion entirely unnecessary and even ridiculous. The hon. Member for Forfarshire (Mr. Barclay) pointed out that close to London,

within 40 or 50 miles of the Metropolis, there were thousands of acres of land which could be sold and purchased at £10 per acre at the present moment. That is quite true; but, as far as I am acquainted with that land, it is not of a character which I should purchase myself. But the hon. Gentleman, who is a much better practical farmer than I am, and who knows a great deal more on the subject of the cultivation of the soil, said it was land that, so far as he was concerned, he would be very glad to buy. The hon. Member who moved the Amendment gave as one of his principal reasons for compulsion that he was anxious to see the land obtained at the cheapest possible price, by which I understood him to mean obtained at something less than a fair market price.

SIR W. FOSTER: No, no!

*MR. CHAPLIN: Then what on earth is the object of compulsion when so many acres are waiting for purchase?

SIR W. FOSTER: I mentioned the land at £90 an acre was too high, and that was the price paid by voluntary agreement. We want compulsion in the background, not for the purpose of using it but to prevent the advent of a new purchaser in the market having the usual result of raising the price.

*MR. CHAPLIN: That is to lower the price by the force of compulsion.

SIR W. FOSTER: To prevent the rise.

*MR. CHAPLIN: Well; that appears to me to be just the same thing. I understand that it is the view of the hon. Member that the land ought to be cheap because it is required for a great national object. Granted that it is for a national object, should not the burden of this fall upon the nation and not upon a limited class of the nation, the owners of land? That is my view, and therein I differ from the hon. Gentleman in the view of compulsion. Compulsory measures, instead of bringing cheap land, so far as experience goes, means dear land. When the

St. Faith's case is given as an instance, the hon. Member says— "Do not be afraid of that; we will soon insert other clauses which will prevent all losses from compulsion in future." That is to say, he is going to take from landowners the protection given by Parliament which they at present enjoy—"No, no!"—wherever land is taken by compulsion by what may even be the arbitrary, unfair action of a Local Authority. There is another practical objection to the introduction of this. It is quite certain, whatever else happens, that the new holders when they embark in their career will have very considerable difficulties to face, many troubles to get over in regard to which they will be very glad to receive assistance from neighbours and friends, and with the application of the principle of compulsion there will be a certainty of a great deal of friction between classes on the land. It is certain that when an owner has land taken from him under compulsion he will feel considerably aggrieved, and I question very much if it will tend to encourage that assistance what is now given by farmers to their poorer neighbours. I know many instances of this, and one especial instance I recollect in relation to the small holdings in East Lincolnshire. Visiting the spot where I have property of my own, accompanied by an old tenant-farmer, I was struck with the manner in which he was looked up to by the small holders whose land adjoined his. Over and over again did he afford assistance at times of trouble and difficulty. When his horses were not at work he would lend a team to plough their land, and in many ways he rendered the greatest possible assistance to the occupiers of small holdings. The first effect of compulsion will be to destroy all this kind of good feeling among the various classes, and I believe, instead of advancing the success of this measure, it will do much to retard the prosperity of the small holders. I could say much more on the subject, but I do not desire to do so now, for I think the Committee will be prepared to come to a decision on this question.

Mr. Chaplin

*(6.35.) MR. HALDANE: The right hon. Gentleman is mistaken if he thinks this question of compulsion can be disposed of with so little discussion. This is one of the most important questions arising on the Bill. The question of whether we do or do not accept compulsion goes to the essence of the difference of parties on this subject. Let us see what is the argument the right hon. Gentleman has presented. First of all he comes forward as an advocate of this small holding measure, but as an advocate with little faith. He regards it as an experiment, and he has no great hopes of its success. We do not advocate this as an experiment merely. It may be difficult to develop a prosperous system of small holdings; it may take time, the plan may not work out at once, but we do look to this measure with a desire that in its framework it shall have an educating effect on the class of agricultural labourers that never yet has legislation had. It is not merely the possession of a small holding; we look to the possibility of raising the whole class of labourers, and because of the facilities this measure may offer for that purpose we lay much stress upon it. The right hon. Gentleman objects that the principle of compulsion will create friction among classes, but have we not had the principle applied for many years for public purposes? Legislation has sanctioned the compulsory acquisition of land by Railway Companies, and it is recognised that for public purposes it is not only desirable but natural that there should be this power of compulsory purchase. Then it is said that in the case of Railway Companies there is the protection of Parliament for landowners, and in the case of allotments there is the indirect protection of the Provisional Order system. Now, we do not propose to place all landowners at the mercy of a County Council or any other body. We propose compulsory purchase by a cheaper means. It is true that the Lands Clauses Act provides a machinery which is costly and clumsy, but which at the same time does afford protection to land-

owners. Nobody, so far as I am aware, has suggested that County Councils should have unlimited power to take the best part of an estate or the prettiest piece of a park; what is suggested is that there should be a power of compulsory purchase to be put in motion under the sanction of a competent authority, whether of Parliament, as in the case of a Railway Company, or in the case of small holdings under the sanction of the County Court Judge, who, with the aid of an Assessor, would be a suitable tribunal. At all events there is nothing in the point that we propose to place unlimited power with the County Council without check or protection. Then the right hon. Gentleman proceeded to another argument; he said we want land cheap, and that is desirable, but that sale under compulsion makes land dear. That is an argument put forward by the hon. Member for Forfar, and repeated on either side. I suppose there is something in it. But I am utterly unable to understand why, because you have compulsory power, you should pay more for land; surely you can take it by voluntary agreement if voluntary agreement gets it more cheaply than compulsion. Though the compulsory clause be introduced in the Bill it will not be the exclusive method; it will be only an alternative method, and I believe in 99 cases out of 100 in the future the compulsory clause would not be resorted to. But our experience of the St. Faith's case and others with which we are painfully familiar shows us how desirable it is in the interest of the working of the Bill that a compulsory clause should be included. With such a clause landlords will be more willing to treat, and in the natural course of things a great deal of land near villages and small towns will be made available for holdings. There is a great deal of such land in the country not wanted for building purposes and which never will be used for building, and yet under the name of accommodation land it is only sold to small cultivators at an unreasonable rate. It is just there should be this power of compulsory purchase at fair market value for the purpose of small holdings, and that County

Councils should not be at the mercy of extortionate landowners.

*(6.45.) SIR F. MILNER (Nottingham, Bassetlaw): It seems to me that a certain number of hon. Gentlemen opposite regard the word "compulsion" with the same veneration as that with which a certain pious old lady looked on the blessed word "Mesopotamia." For my own part, I cannot see how it will be possible to insert compulsory clauses in this Bill without causing the greatest amount of friction, irritation, and injustice. Take such an instance as that of an owner of 100 acres of grass land attached to his house near a village. This land is his only means of subsistence; he keeps cows on the land and goes in for dairying, his wife making butter and cheese. Half-a-dozen village Ahabs cast longing eyes on the land, and, setting some patent Parish Council machinery in motion, compel the owner to sell the land for small holdings, and that man's means of livelihood and maintenance of his family is gone. It is obvious that in such cases the greatest amount of injustice may be inflicted. No one can be more anxious than I am, that this Bill should be a real Bill for the benefit of the agricultural classes, and I am certain that it will be found that owners of land will be quite ready to co-operate as they have done in relation to the Allotments Act. There is no need to introduce the friction and irritation compulsion must cause. I am very glad the right hon. Gentleman the Minister for Agriculture takes a firm attitude on the question, and I hope the majority against the proposal will be sufficiently large to knock on the head all idea of compulsion in reference to this Bill.

(6.48.) Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Mr. Whitbread.)

Motion agreed to.

Committee report Progress; to sit again upon Thursday.

**TAXES (REGULATION OF REMU-
NERATION) BILL—(No. 219.)**

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate [31st March].

(6.48.) **DR. TANNER** (Cork Co., Mid): I hope the attempt will not be made at such a time as this to rush a Bill of this kind through without explanation. The main business of the Sitting is concluded, and I must remonstrate against the Government taking advantage of an unexpected couple of minutes to smuggle a Bill through its Second Reading. Though I have read the Bill I cannot say I have given sufficient study to its provisions in which I know many Members take a keen interest.

MR. SPEAKER: If the hon. Member objects the Debate stands over.

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): I may mention that the Bill has been the subject of consultation between Members of either side who are interested, and it has been agreed there need be no opposition at this stage.

Debate further adjourned till Thursday.

SUPPLY—REPORT.

Resolution [1st April] reported.

CIVIL SERVICE ESTIMATES, 1892-3.

CLASS I.

"That a sum, not exceeding £29,850, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1893, for Expenditure in respect of Royal Palaces and Marlborough House."

Resolution agreed to.

**MAGISTRATES IN POLICE BURGHS
(SCOTLAND) BILL—(No. 108.)**

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

EAST INDIA

SE

Address for—

"Return of Com Secretary of State for ment of India in relation to the Government of 1891, regarding the (Mr King.)"

**PIERS AND HA
(EXPEN)**

Return ordered

"Of the amount of day of December 18 taken under the Act c. 26, for the building the amount of loans the amounts repaid the amount available date; and if any work, the estimate; the amounts, or loans made estimate out of the amounts since expended complete such work, is intended to provide (Mr. T. M. Healy.)"

MESSAGE FR

That they have Law (Ireland) About any Amendment (land) Allotments ments.

MO

MINING RA

On Motion of Mr provide for the Rents in respect ordered to be brought Jones, Mr. Alfred J Mr. Joyce, and Mr. J

Bill presented, and

EVENING

Notice taken, if not present; Hon Members not being

House a

HOUSE OF COMMONS,

Wednesday, 6th April, 1892.

The SPEAKER was in his place soon after Twelve o'clock, but not until half-past Twelve was a quorum of Members found in the House.

ORDERS OF THE DAY.

RATING OF MACHINERY BILL.—(No. 31.)

SECOND READING.

Order for Second Reading read.

(12.40.) MR. GERALD BALFOUR (Leeds, Central): In rising to move the Second Reading of this Bill, I am sensible that I have to contend against a double disadvantage. In the first place, though the practical issue is one of extreme importance, the subject is so complicated, difficult and technical that only speakers happily and exceptionally endowed could hope to invest it with anything like interest. In the second place, a Bill dealing with the rating of machinery has now for so many successive Sessions appeared among what are called the "hardy annuals" that it is difficult, if not impossible, to say anything on the subject which has not already been said, and better said, by hon. Friends who have had charge of the Bill on previous occasions. On the other hand, there is some encouragement in the reflection that on no one of these occasions, so far, has this Bill met with an adverse vote in the House of Commons. The Bill introduced in the year 1890 by my hon. Friend the Member for Cirencester (Mr. Winterbotham) passed its Second Reading by a majority of no less than 239 to 87; and last year the Bill introduced by my hon. Friend the Member for Nottingham (Mr. H. S. Wright) passed its Second Reading, no Division being challenged. Under these circumstances, and considering that the present Bill contains certain modifications which are intended to disarm criticisms brought against the Bill in its original form, I venture to express a hope that this Bill will be received as favourably as its predecessors have been. I think I may also claim not merely that the principle

is one which on more than one occasion has received the emphatic assent of the House of Commons, but it has been supported, and is being supported, more and more in the country. Petitions have flowed in from manufacturing firms, from Chambers of Commerce, from Trades Councils, from Trades Unions, from Assessment Committees, in favour of the Bill; and only yesterday an influential general deputation waited upon the right hon. Gentleman the President of the Local Government Board in favour of the Bill, showing what force and importance this movement has attained. I am aware that opponents of the Bill will probably not lay very much stress on petitions and representations which have come from manufacturing firms and Chambers of Commerce. It has been said, and I daresay it will be said again, that the Bill is intended for the relief of rich manufacturers. Well, Sir, I am not a manufacturer, rich or otherwise, but I support the Bill not as one which is intended to relieve a particular class in the community from burdens that class now bears, but rather as a Bill to avert from the industrial community generally a danger hanging over them, which, if now merely a danger apprehended, will become a danger realised unless some present remedy be adopted to avert it. But I would call the attention of those who describe this as merely a manufacturers' relief Bill more particularly to the action which has been taken in connection with the Bill by the representatives of Trades Unions and of Assessment Committees. We have been given to understand by opponents of the measure on previous occasions that whatever advantage the Bill may give to manufacturers means by so much an addition to the rates; and this will practically be an addition to the rent paid by the artisan. But that is not the view taken by the majority of the Trades Unions—I might say of the overwhelming majority of Trades Unions. I believe the deputation the right hon. Gentleman received yesterday represented half a million operatives. Now Trades Unions are sufficiently enlightened and intelligent to be thoroughly aware how taxation affects the interests of the industrial community, especially having regard

to foreign competition, and they know that in part the loss must fall upon the operatives. They are entirely at one with the manufacturers in this matter. But the adhesion of so many Assessment Committees is even more incompatible with the view I am now dealing with than is the action taken by the Trades Unions. Assessment Committees have to value the property of manufacturers, and when you find that two parties whose interests are *prima facie* entirely opposed acting in complete harmony, I think there is ground for a strong inference that the Amendment of the law which is suggested is one in the interest of the community generally. Now, what are the causes of the dissatisfaction which has brought about this state of things which has united the raters and the rated in one common action in favour of the Bill? We contend, first of all, that the present law is uncertain in its operation and application. We contend, secondly, that the most recent decisions on the question, the most authoritative declaration and interpretation of the law, tend toward a complete departure from the usages which have been followed hitherto by Assessment Committees; that if the principles of these recent decisions are carried out with strictness and severity they will really produce nothing less than a revolution in the present practice of assessment, and that the change will undoubtedly operate with great hardship on all the industrial classes in the country. These are our two main contentions. I do not say the principle of the law is uncertain. I only say the application of it is uncertain. I am aware that many legal gentlemen hold the opinion that the law remains unchanged in principle, and I am quite willing to avoid as far as I can ruffling their legal composure; therefore I will not even contend that the law has been changed. I will merely say there has been a development—and development is to my mind an equally efficacious word for describing what has taken place—and it is at the same time less disputatious. It has been my not altogether pleasant duty, since I undertook to move the Second Reading of this Bill, carefully to study the cases upon

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which the most important declaration of the law have been made. I cannot say it is exactly the study I would recommend to any friend, unless he should happen to be very much at loss for something to do—something to occupy his leisure hours. Indeed, to say the truth, I would advise him to adopt the alternative of the study of German metaphysics—a subject not more obscure, and certainly more attractive. But I have taken the trouble to thread my way through the winding mazes of argument and counter-argument leading up to judicial decisions on the subject, and I would like just as shortly as I can and avoiding all unnecessary details, to state to the House the direction in which there has really been a development of Judge-made law in connection with the rating of machinery. For this purpose it is not necessary to do more than to make a passing reference to the great landmark in this legislation, the Act of 1840. During the period since the passing of that Act no doubt important decisions have been given on the rating of machinery, but I do not think I need trouble the House with any of these until we come to the case "*The Queen v. Leigh*." In this case, tried before Lord Chief Justice Cockburn and Mr. Justice Blackburn, Lord Chief Justice Cockburn laid down a triple classification of machinery in respect to rating. The first class he spoke of as mere chattels, or simply chattels, and this class is not rateable. Then there is another class of machinery which is so far attached to the freehold as to form part of it, and with regard to this class of machinery there is also no obscurity or dispute: it is, of course, rateable with the rest of the hereditament. But between these classes there is an intermediate class, and that is where the trouble has arisen. With regard to the ordinary hereditament—a dwelling-house, for instance—does not exist or is so important that we may rate it. But that is not the case with manufacturing machinery. A rateable class uniting the two contradictory descriptions of "contradictory descriptions," or it is

"attached chattel." It may be said, on the one hand, it is not rateable, or, on the other hand, it is not exempted. It is not rateable, for this reason: it is certainly machinery which is the personal property of the owner, and as no personal property is rateable it follows that this is not rateable. Neither is it exempted, and therefore a new phrase has been found for it; it cannot be said to be rateable, but it is said to enhance the value of the hereditament for the purpose of rating. How is this non-descript class, which is "neither fish, flesh, fowl, nor good red herring," to be defined? Lord Chief Justice Cockburn defines it thus:—

"Things which though capable of being removed are yet so far attached as that it is intended that they should remain permanently with the undertaking. . . . remain permanent appendages to it, and essential to the working of the undertaking."

Now, in this definition there are two points to which special attention must be paid. In the first place, the machinery must be "attached"—whatever meaning may be conveyed by the word "attached." In the second place, it is to remain a "permanent appendage" to the premises, to be "essential to the working" of the premises. Then further light is thrown on the meaning of the word "attached" by the judgment delivered on the same occasion by Mr. Justice Blackburn. I will read his words—

"The rule laid down has been that when the things are attached to the premises, although they are removable afterwards, still they are part of the premises. . . . But if things or chattels be merely fixed to the premises, and so far fastened to the premises as to be still chattels, but fixed and steadied for the purpose of use there, they remain chattels altogether. . . . The ordinary illustration is a mirror. . . ."

I need not give all the words.

"On the other hand, a grate which is built into a chimney, although it is capable of being removed by a tenant, would still be fixed to the premises, and, therefore, part of what would be considered to be let to the hypothetical tenant, and for which he would pay rent. . . . Look at the various matters put here. They all, with the exception of the meters. . . . are, although but slightly, attached to the premises. Nevertheless, I think it clear that they are all, in fact, attached to the premises, so as to come within the principle laid down."

Now it is clear from these words of Mr. Justice Blackburn that in his view

the word "attached" implies that there must be some physical connection that the article must be in some way physically attached to the premises. Therefore, the result we arrive at from these two judgments is as follows: That first of all there are three kinds of machinery; first, machinery which is a mere chattel and not rateable; secondly, there are fixtures rateable with the rest of the freehold; and, thirdly, there is a debateable class not in itself rateable, but which is taken into consideration as enhancing the value of the premises on two conditions—first, that in some way the machinery is physically attached to the premises; and, secondly, that it is essential to the premises for the purposes for which the premises are used. I do not say the definition is perfect; I think it is rather calculated to give rise to litigation and increase lawyer's bills, and I think it is also possible, under a strict interpretation, that it might include certain machinery which by ordinary usage is exempted from rating. But I think if matters had remained there, notwithstanding our objection, we should never have heard of "Rating of Machinery" Bills; and it would not have been necessary for me or other Members to trouble the House with these somewhat dry disquisitions. The case at Bishop Wearmouth and the Tyne Boiler case have, however, completely swept away all these tests which, in the case of "The Queen v. the Inhabitants of Leigh" were recognised as necessary in connection with this debateable machinery—namely, the test of attachment. The Judgment of the Master of the Rolls really only enforced that in the Bishop Wearmouth case, and it so clearly and undeniably excludes attachment, in the sense of physical attachment, that I will read it—

"The rule, as I shall try to express it, will leave out that word 'attached,' will leave out 'fixed,' and will leave out a great many other words that have been used, and I believe that that case and all the other cases will be found to come under this rule, that things which are on the premises to be rated and which are there for the purpose of making and do make them, that is those premises, fit for the particular purpose for which they are used ought to be taken into account in ascertaining the value of the premises for rating purposes. I have left out advisedly the words 'attached,' 'fastened,' 'annexed,' and the other words."

duced by my hon. Friend the Member for Nottingham are not the same as the Bill of 1889. These Bills are not the same, and far from being more strong or drastic than that of 1889; they are distinctly weaker, and recommend less thorough-going amendment of the existing law; by the existing law I mean the law as interpreted by judicial decisions, and not the Statute Law. The history of the modifications is very simple. The Bill of 1887 was opposed by my right hon. Friend the President of the Board of Trade (Sir M. Hicks Beach) for the purpose of allowing the interested parties to endeavour to come to some agreement; and the promoters of the Bill, while not admitting that it went beyond the limits of fairness and justice, were not unwilling to accede to a compromise which would secure the passing of the Bill. A compromise was arrived at and embodied in an Amendment, but, unfortunately, the Bill was squeezed out at the end of the Session. The Bill of 1889 really embodied the Amendment of which I have spoken, but that also was squeezed out at the end of the Session. The present Bill is, in the main, drawn on the lines of the Bill of last year. The objection of my hon. and learned Friend the Attorney General (Sir R. Webster) to the original form of the Bill was that it proceeded affirmatively—that is to say, it defined the machinery which was liable to be rated, and left all other machinery, free. He contended that such a measure should proceed negatively—that is to say, should define the machinery which was not to be rated, and leave all the machinery which did not come within that definition within the area of rating. We have endeavoured to meet that objection in the 1st clause, in which we say that

“Any increased value arising from machines, tools, or appliances which are not fixed, or are only so fixed that they can be removed from their place without necessitating the removal of any part of such hereditament shall be excluded.”

It will be observed that this definition is really a definition of movable chattels. We do not attempt to define the debateable machinery, but, incidentally, reversing Lord Esher's procedure, we have re-introduced the test of attachment. We say that machinery

not attached in the manner described in the 1st clause is not to be rated; and where it is so attached it is to be rated, and by inference we indicate what are to be the limits of debateable machinery. The clause is really intended to enable a clear and distinct line to be drawn between debateable machinery and mere chattels, and I think it is so drawn that the rating authorities will have little difficulty in applying it. It is true that this definition is somewhat wider than that of last year's Bill, and if taken alone would exclude from rateability machinery which that Bill included; but we have introduced a proviso which will prevent the possibility of the unfair or unjust application of it. I do not refer to the second proviso, which is common to both Bills, and is to the effect that machinery for producing or transmitting first motive power shall not come within the Act, and shall be rated as heretofore. I refer to the previous one, which is to the effect—

“That the gross annual value of any such hereditament containing machinery shall be estimated at not less than the sum at which it might reasonably be expected to let for the purposes for which it is used on a tenancy from year to year void of the machines, tools, and appliances which it might reasonably be expected would be supplied by the tenant.”

I shall be quite prepared to contend that that proviso contains in itself the right and proper rule for estimating the value of hereditaments containing machinery if they are to be rated on the same principle as dwelling-houses. But we have not gone so far; we contend that this rule merely expresses the minimum at which such premises should be rated. We are told that under this proviso such premises would be rated as mere shells. That is not our intention, and we make that clear by declaring the minimum at which such buildings shall be rated. If there were machines belonging to the debateable class over and above what would fall under the proviso the rateability of the hereditament would be by so much increased. Looking at the definition, and the way we have hedged it round from the possibility of abuse, I do not think it can fairly be contended that we are attempting to obtain for manufacturers relief to which they are not

properly entitled. I have shown how precarious is the position of manufacturers in most towns—how uncertain is the law; have pointed out how unequal it is in different districts, and in what an awkward position the rating authorities are placed; and have endeavoured to explain how the Bill will meet these points; and for these reasons I think the Bill should be passed. I would now venture to say something in anticipation of the objections which may be brought against it. From what quarter does this opposition come? Principally, so far as I have been able to gather, from the agricultural interest. I think if the operation of the Bill were fully understood this opposition would be largely abated. The agricultural interest cannot be affected by it, except in districts partly industrial and partly agricultural. In purely agricultural Unions the effect of the Bill, if any, would be favourable. At present, under Lord Esher's interpretation, it is impossible to define what is and what is not a chattel, and machines used in agriculture will probably be swept into the assessor's net. If the machinery in the Chard case ought to be rated, one cannot see why agricultural machinery should not also be rated. Take the case of Unions, partly agricultural and partly industrial. I would ask hon. Gentlemen representing agricultural constituencies whether it is really in their interest to take a step which would prevent the increase of industrial pursuits in their constituencies? Can it be to the advantage of a mixed agricultural and industrial population, that the employment now given to operatives in manufactures should be taken away? I should say it was to their advantage, as far as possible, to foster such industrial pursuits, and to afford full employment for everybody in the Union, and prevent throwing on the rates those who, not having the opportunity of following those industrial employments, might be unable to support themselves. If the principle of the Chard case is applied to districts partly agricultural and partly industrial, and manufacturers and others become liable to additional assessment, they will be very careful to see that the farmers and others employ-

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ing agricultural machinery do not escape. They will undoubtedly put the law into motion, and will take very good care that the agricultural interests do not escape. I would ask the Members for the agricultural constituencies to look frankly at this matter and consider whether this Bill does not offer a fair compromise. I do not think we are demanding more than we are really entitled to. I think in this Bill we have been as moderate as we could be expected to be, and I trust that the opposition will be withdrawn. Beside the agricultural interest, we have of course, to meet the opposition of the property owners, who are afraid that a portion of the rates now borne by the manufacturers will be thrown upon them. "Someone," the manufacturers say, "will have to pay the rates;" and if the manufacturers are relieved, the excess, they contend, will be thrown upon the owners and occupiers of house property. With regard to that, I should like to point out that, if the burden is borne by the community generally, it will not bear so hardly on any single member of the community. If the proposals adopted in this Bill are adopted, the rates will be raised something like 5 or 6 per cent. I do not deny that that is a very serious rise; but compare it to the additional assessment thrown on hereditaments containing machinery. If that is to be assessed at three or four times what is the ordinary practice of Assessment Committees, the hardship may be so great as to make it impossible to carry on such establishments at all.

MR. STOREY (Sunderland): I think I ought to tell the hon. Member that his estimate is excessive.

MR. GERALD BALFOUR: I was anxious not to overstate my case. I believe, in the case of Sunderland, the difference would be larger than in some other parts of the country. But I can understand that this House will not be prepared to accept the proposals we make in this Bill if the effect of those proposals is to transfer from manufacturing establishments rates which they have hitherto borne and place them on the shoulders of those who do not now pay. Our case is that we are not proposing what in practice would produce a large change.

We are endeavouring to prevent a large change. Sunderland is altogether an exceptional case, and my own belief is that in 99 cases out of every 100 no change would take place. The rating authorities have stuck to the old practice, and an opportunity should be given to them of not changing but of continuing their practice. On this subject, if I am not wearying the House, I will read a letter which was read yesterday in the course of a deputation to my right hon. Friend the President of the Local Government Board (Mr. Ritchie). The letter was from Mr. Thomas Lings, Controller of Poor Rates for Manchester, to my hon. Friend (Sir William Houldsworth.) Mr. Lings says—

"With reference to your inquiry I am able to say from personal experience, as the Controller of Poor Rates for the township of Manchester, that there is absolutely no foundation for the statement that the Bill to amend the laws as to rating of machinery will in any way affect the existing poor rate for the City of Manchester or render a re-valuation necessary. From my experience I am also able to say that the Bill practically embodies the principle which has always been adopted in the manufacturing districts of Lancashire, Cheshire, and the West Riding of Yorkshire, and I believe throughout the Midland Counties also. I therefore think it is equally without foundation to say that the Bill, if passed, will render a new valuation necessary in any of those districts."

It is clear from that letter that my contention is supported by a very high authority—that this Bill will not produce a change in the practice of the rating authorities, but will merely avert a change which is otherwise threatened. We have also been threatened with opposition from the Representatives of Birmingham; but the case of Birmingham is rather a peculiar one, because they have simply a valuation which I do not think has been adopted in any other place—according to the normal horse-power. I fail to see how our Bill would make any difference to Birmingham. The rating authorities of that town say that their system really carries out the existing law, for in making this valuation for horse-power they really include in the valuation hereditaments with machinery which comes under the debateable class.

We really restrict it to machinery which comes under the debateable class, and, as I said, I do not see how the Bill will interfere. I may further say that I

do not believe Birmingham is more severely rated at present with regard to manufacturing establishments, than it would be rated under our Bill. I have gone through some of the objections which I imagine may be made to this Bill, and I can only say that, however natural it may be that these objections should be urged, I hope they will not prevail with this House. I deny altogether that it is a true description of this Bill to say that it is brought forward in the interests of a particular class of the ratepayers; on the contrary, it is a measure of national interest and national importance. We do not ask that the manufacturers of this country should have any special privileges. There are some countries in which the manufacturing industries are protected by means of bounties and protective tariffs, and where they are actually free from liability to the rates which are imposed on other forms of commerce. We do not ask for anything of that kind; we simply ask that the law should be clear, that it should be equal, and that it should be equitable. At present the law is not clear and it is not equal. It differs in different parts of the country, and what is more important is that it is different from the law of Scotland and Ireland. This Bill would simply assimilate the law in all parts of the United Kingdom. I do not think it is fair that English manufacturers should be called upon to bear a burden from which the manufacturers of Scotland and Ireland are free. All that we ask is that the law with regard to the rating of machinery should be on all-fours with the law for rating other kinds of hereditaments, and that the rating authorities of the country should not be compelled against their wishes, against the established practice, and against what they conceive to be best for the interests which are committed to their charge, to adopt what is practically an entirely new form of rating. There are some gentlemen who admit that a grievance exists, but they say this is a large question which should not be dealt with piecemeal. They say it is a question which the Government should take up and deal with as a whole. That is also the view that was taken by the Select Committee in 1887; but five years have

passed since then, and has anything been done? Are we any nearer to the prospect of this question being taken up by the Government? And it must be remembered, too, that the Select Committee, while they expressed the opinion that the question should be dealt with by the Government as a whole, at the same time added a recommendation to the rating authorities not to depart from the system of assessment which they had so far adopted. In the main, the rating authorities have observed that recommendation; but there have been exceptions, as in the notorious Chard case. But we cannot expect that system to go on perpetually. We cannot expect that the rating authorities will be content to remain much longer in their present position. They have to administer the law as it is laid down by the Judges, and that is why we ask the House to pass this Bill. We ask the House to relieve the rating authorities from the awkward position in which they are now placed by assimilating the declaration of the law to what has hitherto been the practice of the rating authorities and to what has also been the spirit of the law itself.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gerald Balfour.*)

* (1.45.) *SIR E. BIRKBECK* (Norfolk, E.) moved the rejection of the Bill. He said: I do not think anyone in this House can object to the agricultural interest having the opportunity of raising its voice against a proposal which, if passed, will impose increased burdens on the shoulders of their constituents; and especially do we feel the grievance in the matter, because it is only too well-known that the agricultural industry has suffered more than other trades, and is nearer the Bankruptcy Court than any other trade in the United Kingdom. The depression of the last 15 years proves conclusively the truth of what I say. But I do not only speak on behalf of the agricultural interest, because there are others who would feel deeply aggrieved if the burdens now imposed on the manufacturers were transferred to the shoulders of the small traders, the small shopkeepers, small owners of property,

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and others, who can ill afford that any fresh burdens should be placed upon them. It is perfectly natural that hon. Members representing manufacturing constituencies should welcome this proposal, and everyone will congratulate them that, through the medium of this Bill, they think they are going to escape from rates which they have paid for many years. The supporters of this measure have sent round a number of circulars to Members on the subject of this Bill, and in one of them I find these words:—

"Any taxation laid upon the industries of the country is a tax upon labour, and must to a large extent come out of the pockets of the labouring classes."

That is precisely what we say. If this liability is to be transferred from the manufacturing to the agricultural industry, the farm labourers will, according to this argument, be sufferers in consequence of the change. The House must be aware, and, indeed, it is a well-known fact, that the manufacturers of the country have been making astounding fortunes, to say the least of it. At any rate, some of the limited companies have been paying very high dividends, and I would ask has the trade of the country suffered in consequence of this Bill not having been passed? The gross profits assessed under Schedule D of the Income Tax have increased between 1881 and 1890 by seventy millions, and the exports of home produce from the United Kingdom have increased by no less a sum than forty millions. But as regards the unfortunate industry for which I am pleading—an industry that is bound to be affected in some districts if this Bill passes—the value of the land assessed under Schedule A has decreased since 1879-80 by no less a sum than twelve millions, and that, I believe, is understated rather than overstated. This is some explanation of the fact that the Central Chambers of Agriculture and the Associated Chambers, 53 in number, have protested against this proposal, and have asked hon. Members who represent agricultural constituencies to do everything in their power to prevent its passing. Within the last few days more than 40 Petitions have been presented from the agricultural interest against this Bill, and I fail to see why rates

which have long been borne by the manufacturers, who are able to bear it, should be transferred to the shoulders of an almost bankrupt industry. The whole system of rating is an anomaly; but why, I ask, should this single question of machinery be taken up and everything else left out in the cold, and a pile of grievances created, simply because the Government had not acted upon the recommendation of the Select Committee? The Committee recommended that the whole subject should be dealt with by the Government in a comprehensive way, and my hon. Friend says that nothing has been done since 1887. I regret that the Government have not dealt with this matter as recommended by the Select Committee, and I should be glad to hear from my right hon. Friend (Mr. Ritchie) that when the Government come into office again after the next General Election they will take up this question and settle it once for all. It is no use trying to settle this matter piecemeal. Besides those I have mentioned, there is another class of men who will be affected by this Bill, a body for whom my right hon. Friend (Mr. Ritchie) has done so much—I mean the allotment holders in the vicinity of some of these manufactories, and, again, the small holders whom we are trying to create will be affected; and I ask are these men, on coming into their allotments, or their small holdings, to find themselves saddled with these increased rates which the manufacturers have borne in the past? It has been very justly said by the Birmingham and District Joint Rating Authorities that "If this Bill is passed into law the rating authorities throughout the country will have to revise their valuation lists and largely reduce the rateable values of buildings containing machinery; and many of such buildings will be rated simply as warehouses containing machinery." Further, they say "Parliament is asked to pass a law in the interests of one section of ratepayers at the expense of, and prejudicial to, the interests of the general body of ratepayers." Why is such a state of things to be allowed? On behalf of the agricultural industry I say most unhesitatingly that it will

be a very great disappointment to us if the Government encourage the passing of this measure, and I hope in the Division we shall see—though in all probability we shall be thoroughly well beaten—the President of the Board of Agriculture supporting the agricultural interests of the country in this matter.

MR. MATHER (Lancashire, S.E., Gorton): I should like to ask whether, for the sake of information, the hon. Gentleman will name any one agricultural district which will be affected by the Bill?

*SIR E. BIRKBECK: Every county in England will be more or less affected.

MR. MATHER: Kindly name one.

*SIR E. BIRKBECK: My own county. In conclusion, let me say that although we may be beaten on this Bill, we are determined to do our utmost to prevent it from being carried through. I think it is only fair that I should state that we shall oppose it at every stage, because we feel that the recommendation of the Select Committee ought to be carried out, and the matter dealt with by the Government in a comprehensive manner. I trust, therefore, that every Member representing an agricultural constituency on this side of the House, or on the other, will do his utmost to prevent this Bill becoming law, a Bill which I consider is a mischievous attempt at piecemeal legislation, and one which this House ought not to pass to a Second Reading. I beg to move the Resolution standing in my name.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(Sir Edward Birkbeck.)

Question proposed, "That the word 'now' stand part of the Question."

*(2.16.) MR. JOICEY (Durham, Chester-le-Street): I listened with great interest to the speech of the hon. Member who moved the Second Reading of this Bill. I agree with him that the question is a very complicated one, and I congratulate him too upon having so well mastered the legal difficulties in connection with it. I will not attempt to follow him through the legal part of the case, because I think that

that will be much more ably dealt with by hon. Gentlemen in the House who belong to the legal profession. But I was interested in the reasons that he gave for bringing in this Bill. He said, first, that the present law is uncertain in its operation. Well, I think that the decisions in our Law Courts are often uncertain, and I cannot think that the law in connection with the rating of machinery is any more uncertain than that in connection with any other matter. Then he said, as a second reason, that the recent decisions are against the usages of Assessment Committees in various parts of the country. Now, I take issue with him on that point. No doubt, for a number of years the manufacturers in Lancashire and the districts surrounding it where there are cotton mills and other mills of that description have been fortunate enough to avoid paying rates upon their machinery, owing, in my opinion, either to the negligence or the ignorance of the assessors, or possibly to some extent the fear that the assessors have of incurring expenditure. I can quite understand the action of an overseer when he refuses to assess machinery, if he is threatened by two or three large manufacturers, who say that if he persists in assessing their machinery, that they will take the matter into every Court that they possibly can in order to fight him. Naturally, looking at the interests of the ratepayer, he thinks it is undesirable to go to any great expenditure if he can avoid it; and he may think that the advantage he would get by levying the rate would be very much less than the disadvantage that he would put the ratepayers to by insisting upon it. The hon. Gentleman went on to allude to some of the disadvantages; and one in particular I should like to call his attention to, when he stated that if this Bill were not passed overseers or Unions would awake to their duties and undoubtedly rate all those people who have been fortunate enough for some years to avoid these rates. I quite agree with him; and I think it is high time that manufacturers, whoever they may be, who have not paid the rates that they ought to have paid legally, should be compelled to contribute their proportion to the rates of their own districts. He said, too,

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that if this were carried through we should undoubtedly see rates put upon the agricultural people on their farms. Well, in my opinion—and I maintain and think that my opinion is the correct one—the agricultural people on their farms are actually rated now; and I maintain that they are. Every bit of machinery which contributes to increase the produce of the farm tends to increase the value of that farm for renting purposes; and if a farmer introduces machinery which largely increases the produce of his farm, you may rest assured that if the value of that farm has to be fixed by the landlord he will take that into consideration and will expect to have a larger rent. I maintain that the agricultural implements are indirectly assessed now for rates; and I should not be sorry if the same principle were adopted with regard to large mills which are now so fortunate as to avoid it. The hon. Member proceeded to say that many of the gentlemen who opposed the Bill last year and the year before should withdraw their opposition to some extent this year because of its being a much more moderate Bill. Well, that is a matter which rather increases my opposition. This Bill now intends to give a small section of manufacturers advantages which no other class in the community possess. In the part of the country which I come from we have always been assessed upon our machinery, and I confess I cannot see why we should continue to pay this assessment—this rate—and that gentlemen in Lancashire should be exempt from it. We have paid on all our machinery which is necessary for the working of our mines. All the machinery I possess is the property of the tenant or the lessee. If the mines run out, or my mines have to be let to another, of course I take away my machinery; and it is as much personal property in my opinion as any of the machines which hon. Members have in their mills. I cannot understand why any particular machine, because it happens to be fixed by a bolt to a wooden floor, should be exempt; and another machine, from simply being heavier, and having to be fixed to the hereditament by means of cement and a bolt, should not be exempt. I

think this extraordinary consideration for machinery in connection with our mills is quite unnecessary. Now, I oppose this Bill on other grounds. I oppose it because I believe that it is to the disadvantage of the community. I have notices from a considerable number of boroughs in connection with the coal trade on this question. The Durham Coal Trade Association, which is a very important body, because in that county some 20 millions of tons of coals are turned out every year, oppose the measure because, they say, the object of the measure is to relieve certain classes of machinery from rating; and the effect of it, if passed, would be to seriously diminish the rateable value in manufacturing districts by the exemption of a large amount of machinery used in factories and works which have hitherto been liable, and consequently the Bill largely increases the rates in order to make up for the deficiency thus caused under the Bill. No relief will be given to the class of machinery used in mines, because it does not come under the definition of that class which is to be excluded from rates; therefore, the colliery owners will have their rates increased in order to reduce those paid by the owners of machinery which the Bill proposes to exempt. Another important body in connection with the mining industry is the Mining Association of Great Britain, representing probably nearly the whole of the collieries in the country. They oppose the Bill because they believe that if it were passed into law the effect of it would be to relieve manufacturers owning extensive moveable machinery at the expense of colliery owners and other ratepayers. In many cases collieries are situated wholly within boroughs and Local Board districts, and are assessed for all improvement purposes; and colliery owners view with great dissatisfaction the attempted protection contained in the Bill, which is, in fact, a proposal to relieve the textile manufacturers and other owners of machinery which the Bill proposes to exempt at the expense of all the other ratepayers. I maintain that no case has been made out for that special advantage. I think that this is a question which requires very great

consideration, and, in my opinion, it will never be satisfactorily solved until the Government take the matter in hand. But it will affect another class very seriously, and that is the working class. In the borough of Gateshead the population is composed almost entirely of working people, who depend for their living upon the manufacturies situated in the borough; and I am told by the borough accountant, who has gone into the matter, that if this Bill should pass it will be most disastrous to the ratepayers. The rateable value of Gateshead is £262,189, and he estimates that if this Bill passes, the rateable value will be reduced by the exemption of machinery proposed by the Bill to the extent of £40,000. Now at the present time the rates in the borough of Gateshead are no less than 5s. 10d. in the pound; that on £40,000 represents an income of £11,666 13s. 4d. What this Bill proposes is to take this large sum from the manufacturers and to place it practically upon the employees; and as most of them are men who have built their own houses out of Building Societies and own their own houses, of course they will have to pay a considerable increase in the rates. This is equal to nothing less than a considerable reduction in their wages. I confess that with such facts before me I think I am in duty bound to give all the opposition I can to this measure. Lord Salisbury in his speech about three months ago, speaking on this question, said that he considered it possible that the time might come when personal property should be taxed. Well, I think if that be Lord Salisbury's opinion it is most unwise of this House to enter into this retrograde method of taxation. When you consider the immense amount of money that has been spent by Local Authorities on the present method of taxation—I believe something like £190,000,000—I think this House ought to consider well before it attempts to decrease the area of taxation.

*(2.35.) MR. ELTON (Somerset, Wellington): I rather agree with one of the lines of argument used by the last speaker, in which he pointed out that revenue is raised on what I, for one, consider rather an obsolete principle. He touched upon the importance

of fixtures attached to the freehold; and I think when the Government, as they will some day, take up the question of rates, they will probably consider that the question should be regarded in a wider view. From studying the answer which the right hon. Gentleman the President of the Local Government Board gave to the various deputations that waited upon him, I am satisfied that the Government would not permit this Bill, if passed, to be made into an engine for transferring the large weight of the rating from one class of persons to another. And I should for one vote against this Bill unless I had sufficient confidence in the Government that that particular result would not in any case be allowed to take place. The only reason I intervene in this Debate is because I happen to be a member of a body which has certainly been held up to opprobrium, the Chard Board of Guardians.

MR. GERALD BALFOUR: What I said was that the Chard Rating Authority showed more good sense than good law.

*MR. ELTON: The hon. Member takes it as rather a question of good sense than a question of good law. I observe that it has been described as notorious. There are several small factories in the neighbourhood of Chard and the Wellington Division of Somerset which it is necessary to protect, and for this purpose, and with regard to the question of rating, I think it is very important that we should ascertain and make the law clear upon the subject, and I shall support the Second Reading of the Bill.

*(2.41.) MR. KELLY (Camberwell, N.): Reference has been made in vague terms to the alleged serious effect which would be entailed upon the community at large if the rating authorities carried out the law as it now exists; but I cannot understand why the general rating of machinery should be disastrous to the country. I admit that this is one of the Bills in which great interest is taken; but I cannot ignore that it is one in which many hon. Members have a strong personal interest, either as manufacturers or as Representatives of constituencies where much alarm is

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felt at the prospect of seeing the existing law on the subject of the rating of machinery enforced. However, I am glad to think that, on the other hand, there are a number of hon. Members who represent constituencies in which machinery is rated at the present time, who have consistently opposed the passing of it in the form in which it has been introduced into the House year after year. The hon. Member who introduced the Bill said his opponents would be found characterising it as a Manufacturers' Relief Bill; but I am not at all sure that that is an accurate description of it. It seems to me that it would be better described as a Bill for the relief of those who are interested in textile industries. It may be that hon. Members who have promoted this Bill are in favour of a system under which personal property should not contribute towards the rates. That is not my view of what should obtain, nor is it the view that was originally entertained in this country, for centuries back, in the time of Edward I., it was laid down that every member of the community should, according to his ability, contribute towards the sustenance of the poor so that none of them should die of starvation. That seems to be a sound principle to go upon, and I fail to see why, if a man should invest his money in machinery instead of in house property, he should be relieved from paying according to his ability towards the relief of the poor. We have heard a great deal about the notorious Chard case, as the hon. Member who introduced the Bill styled it; but is the House aware that the Chard case was only decided by the Court of Appeal? Those who find fault with that decision should have taken the case before a higher tribunal and ascertained what the law really was upon the subject if they were and are sincere in their contention that there is great confusion on the subject of the law with reference to the rating of machinery. Those who are against this Bill have always maintained, and always will maintain, that there is a real uncertainty in the mode in which the right hon. Gen

for Bury is rightly reported in the *Times*, he seems to be of the opinion that the difficulty has arisen out of the Chard case; but I take it that the promoters of this and previous Bills on the same subject deny this, and have consistently maintained that it arose not out of the Chard case, but out of the decisions in earlier cases.

MR. WINTERBOTHAM (Gloucester, Cirencester): We did not carry the appeal in the Chard case further, because we thought we would wait until we had a better case to take to the House of Lords.

*MR. KELLY: The hon. Member, when in 1890 he brought in the Bill, said it was brought in entirely for the purpose of clearly defining the law upon the subject, and, further, that it would settle the law of England and put it on all-fours with what it is in Scotland.

MR. WINTERBOTHAM: Hear, hear!

*MR. KELLY: I am glad the hon. Member says, "Hear, hear!" for I have looked into the Act which regulates this matter in Scotland, and I say there is a considerable distinction between the present Bill and that Act of 1854. In the present Bill we are told that the machinery shall only be exempt which is so fixed that it cannot be removed from its position without necessitating the removal of a portion of the hereditament in which it stands. I think the hon. Member will be the first to admit that the words of the Scotch Act are very much wider in their meaning. The present Bill has been described as a measure which would put an end to the difficulties which now exist in regard to the rateability of machinery, but I will venture to say that, instead of doing that, it will make confusion worse confounded.

MR. GERALD BALFOUR: I do not think the hon. Member has fully understood the object of the Bill. Its object is to draw a line distinctly between what I would call typical classes of machinery and those which are not typical.

*MR. KELLY: If we are to have the machinery defined which is to be rateable, then there will be no difficulty in putting the law in force, but if there is to be a debateable—the word used by

the hon. Member—class of machinery, the law had better remain* as it is.

MR. GERALD BALFOUR: If the distinction was made it would cease to be debateable.

*MR. KELLY: The whole question of the incidence of taxation must be dealt with on a permanent and satisfactory basis, and what we maintain is that it should be dealt with in a comprehensive scheme brought in by the Government. The Committee who had to deal with this matter in 1887 could never have thought that it could be dealt with in any other way than by means of a Bill which would cover not only the small question of the taxation of machinery, but the whole question of the incidence of local taxation. I think it has been proved that since 1783 down to the present day the law has been the same as it now is. The Judges have never decided that machinery *per se* is rateable. Personal property is not rateable, and they have never sought to make it rateable. Well, Sir, as I have stated, since 1783, when the case of "*Reg. v. St. Nicholas, Gloucester*" (Cald. 265), was decided, there has been a continuous stream of decisions by which machinery, under a given state of facts, has been made subject to rating. In the case I have just mentioned it was held that a house valued by itself at £5 should be rated at its enhanced value by reason of its containing a steel yard, which was treated, in the arguments which were addressed to the Court, as not being annexed to the freehold. In that case—which dates from a period when the non-rateability of personalty was a matter of local custom and not of law—it is very remarkable indeed to find that these striking words were used by Lord Mansfield:—

"What is the house? It is the machine house. They are one entire thing, and are together rated. The steel yard is the most valuable part of the house, which may be said to be built for the steel yard, and not the steel yard for the house."

Now, Sir, it is idle to look to the question of the yearly value of premises without considering the purpose for which they are used, and the machinery put into them. I quote another case—that of "*Reg. v. Guest, 1838*" (7, A. & E. 951), which is one of the cases most strongly relied upon

by the Parochial Authorities in furtherance of their contention. The question there involved was the rating of machinery and ironworks, and what Lord Denman said was this:—

“Real property ought to be rated according to its actual value, as combined with the machinery attached to it, without considering whether the machinery be real or personal property, so as to be liable to distress or seizure under a writ *fiery facias*, or whether it could descend to the heir or executor, or belong, on the expiration of the lease, to the landlord or tenant.”

Now, Sir, in that case it was not by any means laid down whether machinery was personalty or realty; the real question was, how far the two were so identified as that in considering the one you had to consider how far its value was enhanced by the other. I will pass to the next case, that of “*Laing v. Bishopwearmouth*,” in which Lord Chief Justice Cockburn divided the matter subject to rateability into three classes, thus:—

“First, things removable, such as office and station furniture; secondly, things so attached to the freehold as to become part of it; and, thirdly, things which, though capable of being removed, are so far attached as that it is intended they shall remain permanently connected with it, as certain permanent appendages to it, and essential to its working.”

Now, Sir, it was held that it was impossible to rate the first; that the second was clearly rateable; whilst the third was treated and governed by the principle which has already been laid down by the Courts. To some extent I admit that this case presents, in the matter of permanence and intention of continued user, ideas different from those which have recently been accepted as the test for distinguishing rateable from unrateable machinery. Now, Sir, I come to the case of “*Reg. v. the Tyne Boiler Works Company*,” where the counsel for the appellants were obliged to admit that in valuing the premises from the point of view of a tenant from year to year their capabilities for the purpose of boiler-makers’ business must be taken into account, and under this head the Court conceded, as they were almost bound to concede, the fact of the machinery and plant being there for a tenant to take if he chose. Now, Sir, I was astonished to hear some of the comments on the

words used by Lord Esher in his judgment in that case. Some of the hon. Members who are responsible for this Bill have actually contended that the words of Lord Esher would clearly justify the rating of a plough or a drill, or any agricultural machine. The absurdity of such a contention is at once manifest when one considers that a plough may be in one parish to-day and in quite another parish to-morrow. But, Sir, the question the House has to consider is whether the Bill now under consideration is likely to make the law clearer; or whether, as a matter of fact, it will not have an exactly contrary effect. In the words of the first clause, there are many material alterations from the language of previous Bills. We always heard in previous Bills introduced on this subject that the object was to exempt from rating that machinery that was not affixed to the hereditament, or that was affixed only for the purpose of steadying it. Well, Sir, this is the first occasion upon which such an alteration of the incidence of taxation has been proposed as is involved in the substitution for the word “machinery” of the words “machines, tools, and appliances.” Now, Sir, in so far as this matter is concerned, or at any rate in so far as I can judge the fact, there could be no words more likely to lead to confusion than the words I have read. In every trade the words “machines, tools, and appliances” have a different meaning, and a different signification must necessarily be given to them. They include sewing machines in some trades, and in others they include the enormous and weighty engines used in an engineering establishment, or very costly and intricate pieces of machinery; and I can conceive no words which in this connection would be likely to lead to more doubt and difficulty. Then, Sir, we are told that these machines, tools, and appliances are to be exempt only when not affixed, or so fixed as to be capable of being removed from their places without necessitating the removal of any part of the building. I fail to understand how those words, entailing as they must endless litigation, can remedy the grievance of which the promoters of this Bill complain. Now, Sir, the first proviso of the 1st clause says that—

"The gross annual value of any such hereditament shall be estimated at not less than the sum at which it might reasonably be expected to let for the purpose for which it is used on a tenancy from year to year."

I fail to understand how any tenant from year to year would ever be able, with regard to ordinary business considerations, to place expensive machinery in his premises. It might be worth a man's while to do so if he had a lease of the premises, but if he held under a yearly tenancy of course he could not do it. But whether I am right or whether I am wrong in that matter, I wish the House to consider the meaning of the words in the proviso—

"Machines, tools, and appliances that might reasonably be supplied by the tenant."

Just as the meaning of the words "machines, tools, and appliances" varies in every trade, so the different articles described by them "which the tenant might be reasonably expected to supply" must also vary. If that is so, it is idle for the promoters of this Bill to contend that the measure will be an improvement on the existing conditions of things. The 2nd proviso says that—

"The term machines, tools, and appliances, for the purposes of this Act, shall not apply to any machinery, machine, or plant used in or on the hereditament for the purpose of producing or transmitting first motive power or for lighting or heating the said hereditament."

I cannot see the justice of such exceptions, which would mean that a man wishing to make provision for the health of his workpeople by having the electric light in his factory would be rated on his dynamo. I suppose the clause was introduced in order to disarm the opposition that would otherwise have come from the Corporations; but, at the same time, it is liable to confusion, and there can be no doubt that if it is carried it will operate most unfairly in the case of small people. For example, a nurseryman will be rated on his heating pipes, whilst a manufacturer whose valuable machinery is removable will go scot free. But that the confusion is greater far than this may be made abundantly clear by taking only two or three typical cases. There are two well-known processes for the

manufacture of steel—the Siemens and the Bessemer. The Bessemer process is so carried on, the converters not being attached or fixed, that it will be exempt; whereas in the Siemens' process the whole plant will be rated. That arises from the different character of the machinery used, and not from any difference in value. Let me take another case—that of a man who establishes blast furnaces for the purpose of making pig iron. He would be rated, whilst his neighbour, an engineer, who had expended the same amount of money in engineering plant (lathes, planing machines, slotting machines, punching and shearing machines, boring mills, &c.) would be exempt. These are samples of what will necessarily arise if this Bill passes, so that I am justified in saying that the claim of those who introduce this Bill, that it will extinguish the prevailing confusion, is a claim that cannot be sustained. It is perfectly clear that if you take the rates off these buildings you must, as the same amount will have to be raised, put them on other classes of property. It is said that in the interests of the working classes there should be some re-adjustment of this matter of the rating of machinery. Now, Sir, I have some figures which may be relied on to throw some light on the question as to how far the working classes now suffer from the rating of machinery. The first case is that of Messrs. J. L. Thompson and Sons—estimated turnover, £450,000, rateable value of works, £1,300, rateable value of machinery, £300, amount paid thereon, £75; proportion of rates to turnover, .001. The next case is the Hendon Paper Works—turnover, £144,000, rateable value of works, £2,573, of machinery, £1,200; amount paid in respect of machinery, at 5s. in the £1, £300; proportion of rate to estimated turnover, .20. The last case I will mention is that of J. Priestman and Co.—turnover, £127,794, rateable value of works, £408, of machinery, £90, rates paid on machinery, £22; proportion of rates to turnover, .017. These figures show that there is no foundation for the contention that either the working man or the manufacturers will gain a great relief if this Bill passes. In the

Chard case, the amount on which machinery was rated was reduced from £1,000 to £500. Supposing it was still rated on £1,000, that at 5s. in the £1 would only be £200, and what difference would that make to the undertaking? With a turnover of £100,000 a year, there are very few businesses in which a matter of £200 a year in rates would mean the difference between a paying and a losing concern. The working classes have been led to take a view of this matter that would have been impossible if the full facts had been before them. Attempts have, however, in vain been made in districts where machinery is rated to get them to take that view. It was attempted in the North of England and utterly failed, and I am also aware that it was sought in London to get a very important Body, representing hundreds of thousands of working men, to petition in favour of the Bill. They declined, as I was told by Mr. Shipton, the Secretary of the Parliamentary Committee of the Trades Congress. We who oppose this Bill oppose it mainly on the ground that unless a far stronger case can be made out it would be wrong to shift the burden of taxation from the wealthy machinery owners to the community at large, and thus to some extent to the working classes. Though ridicule has been thrown upon the statement it is unquestionably the fact that in towns like Sunderland the operation of the Bill would make a difference of 2d. or 3d. in the £1. It is, I believe, admitted that the taxation of land for local purposes is calculated on 98 per cent. of its annual value; upon ordinary houses at 80 to 84 per cent. of their annual value; whilst in the case of manufacturers they are only assessed upon at from 66 to 75 per cent. of the annual value of their premises. If manufacturers are coming to this House complaining of the burden which is cast upon them in the matter of the rating of machinery, it ought to be able to be stated that they are as fully rated as owners of house property; that their factories are rated as other buildings are rated; then they might possibly claim the exemption of this machinery from rating, but they would not claim it, because they would be

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enormous losers. They have no right to possess the advantage which they have now of paying upon only 70 per cent. of the value of their premises, and at the same time to complain of the infinitesimal amount which is levied upon their machinery in those parts of the country where machinery is rated. I have never been able to understand why machinery should not be rated all over the country, except that I am aware that in many districts the influence of the manufacturers is so great that it cannot be withstood, and that in some they have expressed, in no vague terms, their determination to fight the question, so that to impose a rate and seek to enforce it would be ruinous to the ratepayers. At any rate, we are not to blame because the proper taxation has not been enforced, and we can conceive that nothing would be more easy than for the right hon. Gentleman the President of the Local Government Board to see that instructions were given to rating authorities which would lead to one uniform and proper practice by such rating of machinery as would compel manufacturers, like everybody else, to contribute according to their ability to the maintenance of the poor, and to pay their proportion of all the rates in their Unions.

* (3.35.) *MR. MATHER (Lancashire, S.E. Gorton)*: One of the false issues which have been raised in the course of this Debate is that which has been placed before the House by the hon. Member who has just sat down—namely, that this Bill is an attempt to shift the burden of taxation from one set of taxpayers to another; that great capitalists would be relieved from the taxation which they are at present paying, and that some of the poorer classes would have to bear the burden. I am surprised that the hon. Member for Camberwell (*Mr. Kelly*) has not listened attentively to the speech of the hon. Member for Leeds (*Mr. G. W. Balfour*), because in that very able speech on the Second Reading of this Bill I thought he made it quite clear to the House that the promoters of this Bill had no desire whatever to alter the prevailing customs of this country. The hon. Member for Camberwell has reminded us that the law of this land has been

the same for about a hundred years. To say we all of us. This law has been interpreted up to recent times by the common sense of the country, by the Local Authorities of the country, by the Assessment Committees of the country, by surveyors and valuers in the same sense only — namely, that the manufactory consists of land, bricks and mortar, plus that kind of machinery which constitutes and actually gives the character to the land and buildings of a manufactory—namely, boilers, engines, driving gear, &c., and this alone shall be rated. That state of things has never been disturbed by any Assessment Committee in the great industrial centres of England, until Sunderland adopted another system of rating. And, with all due reference to Sunderland, Lancashire and Yorkshire, and some portions of the Midland Counties, are as much interested in the industries of this country as Sunderland. There is no case in point, up to the time when the Judges gave their recent decision, in which any Assessment Committee ever doubted as to their interpretation of the law of the land in regard to enhancing the value of buildings by taking machinery into account. They have invariably throughout the country taken the motive-power machinery into account, excepting in the agricultural regions of the South, where the Assessment Committees have not had sense or wisdom in the matter. If they have not reckoned these things as giving value to the buildings, I am very sorry that the localities have been so badly served. I think there is abundant testimony to prove that the universal custom has been to rate the building according to the appliances which constitute it a manufactory. But that is a very different thing from estimating not only that which constitutes a manufactory in the form of machinery and building, but that the tools and appliances used in the manufactory are to be taken into account. That is an entirely new matter.

MR. KELLY: There is no decision of the law which allows the rating of tools and appliances. The word in this Bill is "machinery."

*MR. MATHER: The Chard case proves beyond doubt that in the opinion of certain Judges, that tools used in the buildings and instruments driven by gearing do not of themselves constitute anything of that quality of the building by which it is designated a manufactory, and yet they have interpreted the law to admit of such tools being rated contrary to custom. The term manufactory receives its full and complete development from the fact that it is a building especially designed to hold machinery and is supplied with a certain class of driving power to enable it to be devoted to any of the purposes of a manufactory. In that very Chard case you might have taken the machines out of the building and put in another class of machinery on the floor. Those buildings we have on our minds, and which we desire to exclude from increased rating by reckoning the value of the machines they contain, are manufactories which might be devoted to any purpose whatsoever which could be called a manufacturing purpose. I have personal experience of this matter in Manchester, where I have large works which have been used for all sorts of purposes, one part as a woollen mill and another for bleaching works, and others for separate purposes, but by degrees I have included all those buildings in an engineering establishment, and they are just as good as if I had erected fresh buildings in the green fields. The custom universally adopted up to recent times by Assessment Committees and assessors has been to interpret the law according to common sense. It has given satisfaction to the manufacturers throughout the country, and would have continued to all time, probably, to be the custom of the country had it not been for the extraordinary genius of a surveyor in the North of England who thought he might ride to fame by upsetting the interpretation of the law when he got the Judges to differ, thereby putting the whole manufacturing interests of this country into a state of disturbance. I do not propose to support this Bill on considerations as an owner, but I claim that the

working man may be injured if you do not pass this measure. The hon. Member for Camberwell has spoken of exceptions. I do not know whether Sunderland is an exception to the rule, because it is lower in public spirit than we are, to be assessed in this way.

MR. KELLY: Part of Manchester?

MR. MATHER: The Chorlton Union, part of the City of Manchester, has attempted to put this interpretation of the law into force in one particular small portion of Manchester and that happens to be in my own division. They have tried to do it, and, if justice is on their side and the law has been wrongly interpreted in the past, let them do it. They attempted to adopt this new interpretation of the law with reference to one of the largest concerns in the country, Messrs. Whitworth & Co., and I shall be willing to stand by any final decision on the point without regard to the way in which it might affect my pocket or the industry in which I am engaged. But there is a very serious question involved in this, and I would remind hon. Members that the industries of this country, large as some of them are, yet great establishments have almost invariably been built up from small beginnings. The smallest industries of this country are the pride and glory of our land. We do not take sufficient notice perhaps of the fact that, though we have colossal concerns like the Armstrongs and Whitworths, and other enormous manufacturing industries in Lancashire connected with the cotton trade—we do not take into consideration the fact that the perpetual flow of energy, enterprise, skill and intelligence, is ever from below upwards. The maintenance of small industries, the encouragement of the working man who has saved a little money to push forward his ideas and inventions, is a thing we should keep steadily in view. In that way seed may be sown from which will spring a large and flourishing concern

should look with favour. Is it not important that this field for enterprise should be left unrestricted and unembarrassed by any kind of taxation—is it not important that we should prevent such small industries from being in any way afflicted by higher taxes or rates than hitherto they have had to pay? At the present time not one small industry could receive any impediment from a movement of this kind. How would this new ruling operate? I know many men—I know off-shoots from my own concern—that have become very flourishing in their way. The men who start these concerns, after having probably held responsible positions as foremen, save a little money and start small works of their own. Probably they have some new idea or invention to perfect. The first thing is to find a piece of land or a building which can be rented at almost next to nothing, and they put the whole of their savings into the machinery necessary to enable them to make this particular article by which they hope to start a fresh industry. But if they have to encounter, under the new custom established by the recent decision of law, not only the expense of their buildings, but also the great difficulty that for every machine they put down they will be taxed, is that not an obvious impediment in their way in entering upon those small industries which are so essential to the well-being of the country? As small holdings are important to the agricultural interest, in order to cultivate the energy, fertility of resource, and scientific knowledge of small farmers in the enormous field of agriculture, so are small industries in the great industrial, producing, and manufacturing world necessary to keep building up the important and large concerns which make this country so famous over the length and breadth of the globe. Technical instruction is now spreading, and adding immensely to the fertility of the resources of the country on the part of our

matter how slight, to put a tax upon energy, enterprise, fertility of resource, and inventive power must in the long run materially affect those industries which we most desire to promote. The circulation of the life blood of industry is of the greatest importance to us, and Parliament ought to remove every impediment from the path of the working classes in these matters rather than promote this impending evil which the hon. Member for Leeds has described and pointed out as likely to come into the region of industry. It is the duty of the Legislature to seek to remove impediments from their path so that there should be no difficulty whatever in their enterprise and intelligence increasing, or any impediment in the way of the working classes of England entering more and more into the development of our resources and producing products which will go over the globe and enable us to compete with foreign nations, and maintain the sway we have hitherto held among the nations of the world. It is on this account that I support this Bill. I may remind my hon. Friend the Member for Sunderland, who with his usual sledge hammer eloquence will endeavour to smash my arguments up, that there are eleven cases on record of towns or districts already placed in difficulties which the recent decision of the Judges has brought about. In some 60 other cases they are doing precisely now as we have done for all time. It is to confirm a well-known and established rule of the past, and to make it well-defined in the future so that no quibble can come in on the part of those who are in utter ignorance of the trade of the country, and who give us all sorts of varying decisions on certain important points, that we have endeavoured to promote this Bill. I trust the House of Commons will express unmistakably this view of the matter on the grounds on which I have put it. It will give great satisfaction to the working classes of this country, especially the small trading class, if they do so, and it will not damage a single agricultural district. A purely agricultural district cannot possibly suffer. Mixed communities, partly agricultural and partly industrial, may

have some objections to this Bill, but, according to the return to which I have referred, there is nothing on record to justify the statement which has been made by several hon. Members to day, that we are seeking to remove a burden from one set of men altogether and put it on another set. On the contrary, we are trying to avert the burden which threatens to weigh eventually on the smaller producers of the country.

*(3.45.) MR. STOREY (Sunderland): The interesting speech to which we have just listened appeals rather to our sympathies and hearts than to our heads. When the hon. Member appeals to us to do what we can to foster the great industries of the country, such an appeal touches us just as much as it touches him. But the consideration we have to act upon here is legislating for the country at large—what is just and what is fair for the great body of the country. The hon. Member's argument, if it amounts to anything, amounts to an argument for relieving all machinery from taxation.

MR. MATHER: May I explain what I said was the very reverse. I said there had been a general custom of including machinery in the rating, and, it was only a pending evil which we were seeking to avert.

*MR. STOREY: That was not the point of my observation at all. I say the hon. Member's argument if it amounted to anything at all amounted to this, that in order to foster small industries we ought to relieve all machinery from taxation. I can understand that that is an argument that might be very consistently urged in this House. I for one, if this had been a proposal to relieve all machinery from taxation, should have been able myself to give some sort of general assent to it. But this is a proposal to relieve a certain class of machinery from taxation and certain industries but not others. For instance, take the great coal mining industry, an industry which involves the employment of hundreds of thousands of men, and the engagement of millions upon millions of capital. Will my hon. Friend tell me whether this Bill, as it is drawn, will relieve to the extent of one farthing of

liability for rating coal mining machines? No; because the bulk of the machinery in coal mines is fixed machinery, and being fixed machinery this Bill will not relieve it of rates.

MR. MATHER: My hon. Friend obliges me to interrupt him again. I will only say that in this Bill fixed machinery in the sense of being motive power, such as pulleys, shafting, &c., shall be rateable.

*MR. STOREY: I quite understand that, but I am pointing out that this relief from taxation which he appeals to us to grant in respect to trades only, affects certain other trades and industries, and he now admits that, so far as the Bill goes, it would make no appreciable difference in the method of rating mines and mining machines. Now, who would it relieve? The hon. Member could scarcely realise the fact that there are ship-building yards in Sunderland which turn out hundreds of thousands of pounds' worth of shipping in the year, and the effect of this Bill will simply be to relieve them to the extent of some £75 to £150 a year. My hon. Friend opposite urged that such a relief as that was an inappreciable relief, and was not worth taking into account. As to any poor man starting in the ship-building line—and poor men have done so—my hon. Friend (Mr. Mather) does not think there is any great necessity for making a change in the law; at any rate, he does not propose it. To whom will this Bill give relief? There is a certain class of manufacture which involves the use of a large amount of non-fixed machines or partially-fixed machines, and these are woollen manufactories, cotton manufactories, machinists, or makers of machines, whether for land or sea. And when I look into this Bill I find it is practically a relief for these three classes of manufactories, and therefore I am not surprised to find Gentlemen like the hon. Members for

was more frank. He said, "I admit that the law has not changed; but what I want is to act because there has been a development of the law." He said the law was so because the Judges defined it to be so; it was a development of the law. It is the law; for the law is always the law as the Judges define it, whether in England or Ireland. It has been defined by one Court after another, and always in the same direction. The hon. Gentleman spoke as if Lord Esher, in the Tyne-boiler case, altered the law. I see the Attorney General agrees, as he nods his head.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I agree that he did not alter the law.

*MR. STOREY: Then I need not say another word about it. The law, as defined by Lord Esher, was the same as that laid down in case after case 40 or 50 years ago. Besides being a Bill for the relief of the three classes I have mentioned, it is a Bill for the relief of defaulting Local Authorities. The Mover of the Second Reading said he wanted the law to be clear and equal, and then said if it had been carried out the law would have been equal as it is.

MR. GERALD BALFOUR: I said it would be equal in Scotland and Ireland, but not in England!

*MR. STOREY: We have nothing to do with Scotland now. The reason the law is not equal in England is from no defect in the law, but is owing to the inaction or wrong action of the Local Authorities. Reference after reference has been made to Sunderland, as if Sunderland had found out some new and improved method. What Sunderland has done with the definition of the law, when founded on justice—which course has always distinguished the town—has been to apply the law to all classes of property, and to rate everybody according to the law, and because we have done that the law is

little industries, have disobeyed the law that it is unequal with them. If I were a ratepayer in one of those counties I would quickly undertake that they should carry out the law, for any one ratepayer in a county can upset a rate which is not founded on the law, and the law compels the rating of machinery. It compels the authority, in estimating the annual value of a factory, to take into account what that building with the machinery, fixed or unfixed, would let for as a manufactory. Is the law as it exists fair or unfair, just or unjust? I will take a concrete case as an example; I will take the case of our own factory in Sunderland—for I am concerned in some great manufactures, and would get any benefit if the law were changed, so that I argue from the public point of view—at the present moment this factory is rated as a building containing machinery for the purposes of manufacture, and the Assessment Committee take what would be the fair letting value of this building, standing on this ground, with this machinery all ready for the purpose of carrying on manufacture, and we pay on the annual value of that. If this Bill were passed, we, as manufacturers, would be assessed at a considerably less amount, because large portions of the machinery would be exempt from rating. What would be the effect on the town generally? From 30 to 40 manufacturers would be rated at so much less per annum, but that money would have to be found, and the tax collector would go to the small shopkeeper and the small householder for twopence or threepence more in the pound in order that the manufacturers might be relieved. I call that inequitable and unjust, and especially unjust when I consider that we have put the ratepayers to expense. There is not a large factory in the North which has not caused additional expense to the ratepayers. In our own case, instead of the ordinary macadamised road, the Corporation had to put down one of the best paved roads, so that our heavy waggons could pass over it in the most economical manner. If we have been an extra charge on the rates, is it not right that we should pay a

reasonable share of the rates? Why should we who have works not pay on their annual value? I think it is extremely difficult to reconcile the proviso with the clause, and one proviso with the other. The first proviso is—

“Provided that the gross annual value of any such hereditament containing machinery shall be estimated at not less than the sum at which it might reasonably be expected to let for the purposes for which it is used on a tenancy from year to year void of the machines, tools, and appliances which it might reasonably be expected would be supplied by the tenant.”

Now, Sir, I would suggest that this house was the house we were dealing with, and that next to it there is a similar house filled with machinery, all provided by the landlord, and let to me for £1,000 a year. My hon. Friend gets this house for £100 a year and puts his own machinery in. How would you rate us? At £100 each. Then a building full of valuable machinery is to be rated to the relief of the poor at the rate of £100 a year. That is what you say if the machinery is movable. If you put in an engine and boiler they are to be rated, but if you put in a steam hammer it is not to be rated. Then it comes to this: that hon. Gentlemen who want to relieve and help poor industries say if you go into a business which uses engines and boilers and fixed machinery you shall be rated, but if you go into one that only requires a small engine and a lot of looms you shall not be rated. My hon. Friend says it is a defined class, but it is a definition which will itself have to be defined, first, by the Assessment Committee, and then by Courts of Law. I say that is inequitable and insufficient, as it only deals with one class. There is another point which I should like to press on the House, and that is that my hon. Friend has unwittingly misled the House when he stated that there are only eleven districts where our method of assessment is followed. What he really means is, that there were only eleven districts from which he got replies. But Sunderland by no means stands alone. Newcastle is a larger town than Sunderland, and Newcastle carries out the law. The whole of Tyneside, an enormous manu-

facturing district, carries out the law; the whole of the County of Northumberland, and the whole of the greater County of Durham, carry out the law. When my hon. Friend says it was the energy and activity of a clever valuer at Sunderland which drew the attention of the Authorities to the fact he is quite right, and though he seems to sneer at Mr. Hedley because he moved in the matter, we think we are under an obligation to that gentleman for having pointed to the Assessment Committees what the law actually was. The members of Trade Societies have been seduced, without full knowledge, into supporting the Bill, because they are assessed at more than they ought to be, and are actually paying more rates than they should pay; whilst a certain class of manufacturers in the same localities are being relieved and are escaping from their legitimate share of the burden. But we in Northumberland and Durham have put an end to that state of things. We have vindicated the law and carried out what is just between poor and rich. Therefore, we come boldly to the House and say, as the Attorney General said, this is the law, and it is the duty of the Assessment Committees to carry it out; and it ought to be the law because it is founded on justice and fair play, whereas the system which is adopted in other parts of the country is illegal, and is used for the purpose of relieving certain rich classes from taxation and imposing an undue share of the burden on those who are less capable of bearing it. There is another point which I will submit to the House. Many of these municipalities have borrowed money on the security of their rates, and we learn that the total amount borrowed is about £190,000,000. We in Sunderland have borrowed £450,000 on the security of the rates, but if my hon. Friend achieves the change in the law which he is seeking you will be saving

the interests of that large class of persons who have lent money on the security of the rates should be properly safeguarded. In conclusion, we hold that the present law is a good law, a just law, and an equitable law. We think the change which is proposed will only benefit a certain class of manufacturers and not the manufacturing industry as a whole, and therefore on the ground that the law is good, and that the change which is proposed is insufficient if a change is desirable at all, we shall resist this Bill both now and at every other time.

*(4.21.) SIR W. HOULDSWORTH (Manchester, N.W.): The hon. Gentleman who has just sat down has insisted very much on the law in this matter, but I think he has omitted to notice that in the Bill which is now before the House that law is embodied, and that the proviso which embodies that law goes further than the Acts from which it was taken, and provides that not only shall the hereditament be assessed at the sum at which it might reasonably be expected to let from year to year, but that it shall be assessed at the sum at which it might reasonably be expected to let for the purpose for which it is used. The hon. Gentleman knows very well that these words are not to be found in the old Acts, but they have been inserted in order to prevent the danger of hereditaments which contained machinery, and are being used as manufactories, being simply assessed as empty warehouses, or, in the case of shipbuilding yards, as vacant spaces. The words in the Bill which I have just quoted cover this case. The hon. Member for Camberwell referred to the Report of a Select Committee which recommended that a comprehensive scheme of assessment should be introduced by the Government. I can say, on behalf of the supporters of the Bill, we have no objection whatever to such a comprehensive scheme of rating being

a dwelling-house as well as the machinery in a hereditament I should offer no objection. But this does not seem to me a fair argument to use against our humble attempt to avert the very serious evils which will arise from the introduction of an entirely new system of assessment under the shelter of present Acts of Parliament. The hon. Member for Sunderland (Mr. Storey) said that if this Bill passed there would be a very great change made in the incidence of rating in that town. That may be so, because we know that Sunderland is in a peculiar position. But I do not know that everyone in Sunderland is very well satisfied with the present system, for I see the boiler makers and iron shipbuilders of Newcastle, where the same system is observed, are opposed to it, and so is another important trade society in the same district. But although it may be perfectly true that if this Bill passes there will be a great change in the incidence of taxation in Northumberland and Durham, the hon. Member forgets that if it does not pass a very great change will take place in the incidence of taxation all over the country. I think, therefore, that we are entitled to make use of the hon. Gentleman's argument and to say if it is desirable that the incidence of taxation should not be altered in Sunderland and the neighbourhood, how very much more desirable it is that the incidence should not be altered over a very much wider area and a very much larger population. This afternoon I have noticed that there ran through many speeches the fallacy that machinery is being rated. That is not the case. In the first place, machinery in a manufactory is not by law rated, and, in the second place, except in special districts in the country, machinery is not at present actually rated.

MR. STOREY: That may be true; but, while it is not rated, it is taken into account as enhancing the valuation of the premises.

*SIR W. HOULDSWORTH: That is so; but it is by judge-made law, and, while I do not wish to say anything against judge-made law, I think we

have a right to say that that law should be perfectly clear and without any mistake whatever, so that the Assessment Committee on the one hand and the manufacturers on the other may know exactly what the law is, so that the system throughout the country may be uniform, and that no injustice may be done between one district and another and between one class and another. I take an extract from the Judgment of Lord Esher which has been inserted in a circular, in which it is described as perfectly clear, and fair, and reasonable. Lord Esher, in his Judgment, stated that—

"Machines, whether fixed to the floor or not, if necessary to the use of the premises as such were to be taken into account in estimating the rateable value."

Well, that does seem a tolerably clear definition; but I find in the same Judgment, only a line or two above, he actually says—

"In the case of sewing machines they are not necessary to the use of the premises, and therefore they ought to be excluded."

I cannot see why it is to be said that sewing machines, in a factory which is used for sewing machines, are not necessary for the use of the premises as such—as a sewing machine manufactory—any more than other machines in other industries; and, therefore, I say that if we are to have Judge-made law, let us have a clear, definite law, so that we shall know exactly what is meant, and that will treat properly of the rating of all machinery, whether large or small, whether fixed or not. And I venture to say that a system should not be introduced, even under the ægis of Judge-made law, unless it is carried a great deal further, and that the furniture and fittings of the house, and, more than that, the appliances and stock-in-trade of warehouses, should be taken into account in the estimate; so that all—manufacturers, farmers, and citizens—may be placed on the same footing. I should like to refer for one moment to the case of Birmingham. The case of Birmingham has not come up to-day so strongly as it has done on former occasions. But I do not know whether the Representatives of Birmingham have realised what I think really

is the case: that this Bill, if passed into law, would not in the slightest degree, as it appears to me, touch them or affect them. They have a peculiar system in Birmingham—I will not say it is peculiar, because a similar system exists in other parts of the country. But the way in which their rates are assessed is not by valuation, but by 40 or 50 shillings per indicated horsepower; that is taken to represent the value of the manufactories. I believe in Bolton, and I believe in other parts of Lancashire—certainly in Bolton—a very similar principle is used: they take a certain rate per square yard of flooring, and work out the result from that. But I have calculated very carefully as far as I could the Birmingham and Bolton system, and I find that the result come to is really entirely in harmony with the principles of this Bill. I would point out that if this Bill passes no change need be made in the system under which the Assessment Committees arrive at their results. Reference has been made by the hon. Member for Camberwell to the words of the proviso, but if any complaint is to be made with regard to them in Committee, it must be remembered that in this Bill we have kept as close as we possibly could to the Act as it at present exists. We believe that we are defining more clearly what the present Statute Law is, and in that way preventing the evils which from time to time arise owing to the various decisions which are given under this Act of Parliament. We have been asked why we do not go to the House of Lords with an appeal. If we did that, under present circumstances, we should have to take every case to the House of Lords. Assessment Committees have complained that no broad principle has been laid down for their guidance, and it is in order to give them that guidance that this Bill has been introduced. I believe that if it is passed it will promote the interests not only of manufacturers but of the country at large.

*(4.40.) MR. WINTERBOTHAM (Gloucester, Cirencester): The hon. Member for Sunderland referred to the names which are on the back of this

Bill, and he almost intimated that we were looking after our own personal interest and advantage in promoting this legislation.

MR. STOREY: No, no!

*MR. WINTERBOTHAM: The hon. Member deprecates having had any such intention. I am very glad to hear it. I understand there is not a single Member whose name is on the back of the Bill whose works and machinery have not always been rated in accordance with the custom of the last century, and who does not wish to make it quite clear by passing this Bill that this almost universal custom has been right. Neither of them, I am sure, seek to derive any personal advantage out of it. I am one of those who say that the true interests of capital and labour require that they should be good friends, and that labour is in favour of this Bill is sufficiently shown by the fact that half a million of men, through their trade societies and organisations, have petitioned in support of it. I repeat what I said on a former occasion, that this is no attempt to alter the existing custom. The object of the Bill is only to define the law so as to prevent litigation, and to put an end to the ravages of two or three valuers who have made a rare picking out of the uncertain interpretation of the law. That is a state of things that ought not to be allowed to continue. I admit that Sunderland and Tyneside are an exception to the general rule; but, after all, the figures with respect to Sunderland come to this: that the total difference caused by Sunderland reverting to the old rule and custom would be only 1s. 11d. a year on a £6 house. And the House will mark that is the worst case that can be taken. The opponents of this Bill have got into their heads a strange misconception—that this is a measure for the relief of machinery from rating. Now, by 3 & 4 Vict., cap. 89, machinery *per se* is not rateable. Only 16 per cent. of the rating authorities in this country have adopted what has been called by a previous speaker the new Judge-made law, while Scotland and Ireland have not adopted it at all. The policy of the opponents of the Bill

is a sort of ostrich policy. Attempts have been made to tax different articles. In Gloucester an attempt has, I am assured, recently been made to tax such things as the machinery of a dairy, of a laundry, of a sausage maker, and even portable engines! That is getting very near indeed to the agricultural interest, in whose favour some hon. Members who have opposed the Bill profess to have spoken. Now, I ask, where is this to stop? What about furniture in hotels? It is there on the premises for the purpose of carrying on the business for which the premises are specially constructed or adapted, and it cannot be carried on without it. It would even be necessary to tax the books in lawyers' libraries, with the aid of which they make use of the hereditament for their special profession. When some Government, able and strong enough, shall have tackled the whole question of rating, it must follow that there will be no longer any excuse for inequalities in the Death Duty or for Grants in Aid of local taxation from the National Exchequer. Meanwhile the owners of machinery ask the House for justice. They say—"Do not single out this personal property alone for exceptional treatment, because, after all, it is a class of property which employs labour, and you cannot tax it without handicapping injuriously the industry of the nation." I will repeat what I said some years ago—"Tax the products of industry as much as you like, but do not tax the bees who make the honey; rather tax the honey when it is made." We want the law in this respect to be made precisely like the law of Scotland and Ireland, and we ask the House by a large majority to decide this principle of equal laws throughout the United Kingdom by passing this Bill. We have tried to meet our opponents in this matter, and small thanks we have had for it. It is by endeavouring to settle the question by a fair and reasonable compromise that we seem to have failed to please both friend and foe.

*(4.53.) **SIR H. JAMES** (Bury, Lancashire): I wish to say a few words on behalf of a class of supporters of this Bill who by no means desire to see machinery entirely exempt from rating.

Many votes will be given for the Second Reading of this measure by those who do not wish for one moment to cast any additional burdens upon those persons who are not now rated for machinery. In the course of this Debate it has been apparently mentioned, as a matter of reproach, that those whose names are at the back of this Bill represent constituencies in which machinery is employed to a great extent, and that, therefore, they are interested in obtaining exemption of machinery from rating. I would point out that such Representatives are most interested in seeing this question properly settled, and for this reason: those who are interested in agricultural constituencies within which there is no machinery must recognise that it is of comparatively little importance to them whether machinery is rated or not. Those, however, who represent manufacturing constituencies are interested in seeing that machinery bears its proper quota of the rates, and its proper quota only. If you exempt machinery from rating you will directly benefit a few, but by seeing that it is only properly rated you will benefit a great number, because machinery might be overrated to such an extent that the factories might have to be closed, and the workmen employed in them would thus be deprived of their wages. If we unduly relieve machinery from rating the amount of the assessment must still be lessened, and somebody must pay for the relief afforded to the owners of machinery. It seems strange that hon. Members on this side of the House should treat this Bill as if it were a Bill to exempt machinery from rating. There is no such intention. All really fixed property will still be rated. Such fixed machinery as exists in collieries, to which the hon. Member for Sunderland referred, will, when placed in factories, still be rated. On the other hand, it is agreed that perfectly movable machinery shall be exempt. But in textile factories it is unfortunately difficult sometimes to determine what machinery is "movable" and what is "immovable." Although I quite admit that there has been no technical alteration of the law,

yet there have undoubtedly been alterations in the practice, and unfortunately disturbing ones, which make it very difficult for Assessment Committees to know what course to pursue in the matter of rating different classes of machinery. When we cast upon voluntary bodies like Assessment Committees the duty of administering the law, we ought to show them what the law really is and to make it clear and definite; and, further, we ought to see that manufacturers in different localities are treated equally. I would therefore appeal to the Government to see whether they cannot do something definite in the direction I have indicated. I would undertake to say that if I could enjoy the luxury of cross-examining, say, the Attorney General, I would make him admit that he could not tell how to apply the Chard decision in its entirety, nor could he define the exact meaning of the Court of Appeal. The burthen of the rates will differ according to the opinions—according to the state of things—existing in different localities. Are we to say that it is an impossible duty to define the subject-matter of rating? If this Bill be read a second time the language of the clause can be altered if the House thinks fit to do so. At any rate, the House ought to come to some conclusion, and ought really to attempt to arrive at some solution of this difficulty. If the Government cannot, consistently with what they regard as their responsibility, define the exact subject-matter of taxation, so that there will be no difficulty hereafter, then let the House attempt to solve the difficulty. If we succeed we shall have done a great deal; if we fail we shall have done something. The question is not one affecting conflicting interests, and it is one upon which we shall enter with a desire to see that there is no exemption of any particular class, and that the fair burden of taxation shall fall fairly, equally, and justly upon all.

**(5.2.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's):* I rise to say that the Government do not propose as a Government to oppose the Second Reading of this Bill. The Government see no reason to depart

from the neutral attitude which they have hitherto adopted on the Second Reading of measures of this kind. But, Sir, for my own part, I desire briefly to state to the House the reasons in respect of which I shall certainly cordially support the Second Reading of this Bill. My hon. Friend the Member for Leeds, who introduced this Bill to the House, and introduced it—as all who heard him will acknowledge—in a most lucid and comprehensive speech, left no doubt in the mind of any impartial person as to what his intentions are. He said in express terms for his own part—and I take it that he spoke on behalf of those other hon. Members whose names are on the back of the Bill—that he and they did not desire by this Bill to alter the Statute Law, but merely to endeavour clearly to define it, and to recite what has always been understood to be the Statute Law on the subject. Now, Sir, are there any grounds for supposing that the application of the law causes uncertainty, and creates confusion? I think the evidence is so overwhelming in affirmation of this point that it is hardly necessary for me to elaborate it. It was uniformly admitted by the Representatives of the very strong Committee to which this matter was referred in 1887, and who, in express terms, said that great difficulties did arise in consequence of the uncertainty of the law, and the different and varying mode in which it was administered. Sir, I yesterday received a very large deputation, comprising many members of Assessment Committees, who came to represent to me the great difficulty under which they laboured in consequence of the uncertainty of the present state of the law. The representations of these gentlemen, coming as they did as the representatives of Assessment Committees—many of them coming from very important districts—were entitled to great consideration and weight. Deputations from Assessment Committees of Bolton, Charlton, Manchester, Dewsbury, Wigan, West Derby, Nottingham, Rochdale, Halifax, Stockport, and other communities, joined in the representation. I think, Sir, that that thing itself shows very strongly the desirability of Parliament

Sir H. James

attempting to put an end to this uncertainty. My hon. Friend the Member for Camberwell (Mr. Kelly), who strongly opposed this Bill, felt himself obliged to admit the great uncertainty that now exists. But, Sir, how did he propose that that uncertainty should be removed? He made this very novel proposition: that the Local Government Board should send a circular round to the various Assessment Committees throughout the country defining the law as it stands. Well, Sir, if that is to be a duty which is to be cast upon the Local Government Board, I devoutly hope I shall not occupy the position of President when it is to be done. But, Sir, it having been on all hands admitted that this uncertainty exists, is there any objection to the Second Reading of a Bill which is intended and calculated to remove it? Objections are made by the agricultural interests, and I need hardly say that we have all very great sympathy with the straits to which they have been put in recent years, and that we should be very unwilling to cast any further burden upon that industry which we all hope at some time or other will be again revived, and once more be reckoned as one of the successful industries in this country. But, Sir, I rather take exception to the allusions that were made as to the way in which the manufacturers, with their astounding fortunes, were represented as attempting to shift the burden and the responsibility of meeting taxation from their own shoulders to the shoulders of someone else. I feel very certain that in many parts of the country in the textile industries the depression is quite as great as it is in the agricultural industries; and to talk about the enormous prosperity and the astounding fortunes of the manufacturing industries, and the desire of the manufacturers to shift their burdens from their own shoulders to the shoulders of someone else, is, I think, to say the least of it, somewhat misleading. I do not want to make too much of that; but I only want to enter my protest against what I heard to-day, and in the Conference Room yesterday, about the capabilities of the manufacturing districts to bear the taxation

that it is desired to put upon them. Now, Sir, I think the agricultural interests have considerably exaggerated this matter. In the first place, it is not a question—even if everything desired by this Bill was carried out—it is not a question of shifting the burden in the rating of machinery, because we are told, and for my part I have no reason to doubt the accuracy of the information, that between 80 and 90 per cent. of the Unions in this country do not rate machinery. Well, now Sir, if an unjust extension of the principle of rating of machinery is laid upon the manufacturing industries, I think that that in itself would not prove very favourable to the manufacturing interests. I can conceive nothing in which the agricultural industry is more interested than in our manufacturing industries being developed so that anything which would tend, in however small a degree, to extinguish any branch of industry in this country would undoubtedly in the long run hit the agricultural interest. It has been alleged that this Bill would operate unfairly to the working classes. Well, Sir, I received yesterday a deputation on which large numbers of the working classes were present, and who came to represent to me very strongly that if the practice complained of were in any degree extended it would be disastrous to them. There, again, I say that anything disastrous to the manufacturing interests of the country would be injurious to the working classes. It has been said that legislation on this question ought to be deferred until the whole question of valuation and rating is taken up by the Government. I should, for my own part, be glad if the Government could take up the whole question; but I cannot promise that they will do anything of the kind during the present Session, whatever may be done next Session. I see no reason why, grievances having been admitted, an attempt should not be made by the present Parliament to put the matter on a better footing. It is perfectly true that the Select Committee recommended that the matter should be dealt with as a whole. An Amendment was moved the year before last by the right hon. Gentleman the

Member for Great Grimsby (Mr. Heneage) to the Second Reading of a Bill on similar lines to this, asserting that this matter ought to be dealt with only in a comprehensive Bill, and that Resolution was rejected by this House by 239 to 87. That being so, I hardly think that we are justified in asking the House again, when they expressed their opinion so strongly before, to assent to any proposition that this matter should be deferred until the whole question of local taxation is taken up. I have stated what, in my opinion, is the purpose of this Bill. It is a question whether the Bill goes further, or whether it does not go further, than its promoters assert. I say nothing on that point, because it is capable of being dealt with in Committee. I only say that I shall vote for the Second Reading of this Bill, because it is intended clearly to define what is the existing law; and on that ground I shall have no hesitation in voting for it, and it will be the duty of the Government to see, when the Bill reaches Committee, that it does not go beyond the lines that have been laid down.

SIR H. DAVEY (Stockton): I intend to support the Second Reading of this Bill. The present state of the law is uncertain; more than that, it is artificial. It is incomprehensible, both to the layman and to the lawyer, and it is unequal and uncertain in its operation as among different members of the community. Well, Sir, whenever there is uncertainty, it leads to litigation, and litigation, as the House knows, has to be paid for by the classes of the community who resort to it. I have said that the law is artificial, and I will show why it is so. You must not rate machinery but you may take into account any enhancing value it may have on what you do rate. In some districts the whole value of the machinery is taken into account

enhancing that which you do rate. I am aware that in every case that is not done, but that in other cases an arbitrary standard is taken, as in the Birmingham case. Under these conditions I think there can be no doubt that the law ought to be defined; at any rate it ought to be made clear whether machinery should be rated or not. The law ought to be made certain and equal in its application to different parts of the country, and to all members of the community. But whether this Bill does that in exactly the right way or not I will not undertake to say beyond saying that in my opinion it is capable of very considerable improvement, and I have no doubt the promoters of this Bill will carefully consider any Amendments which may be proposed. The effect of this Bill would be to relieve owners of machinery from the burden of having their machinery taken into account in enhancing the rateable value of the buildings. I think that goes too far, because, that would, no doubt, operate as a relief to owners of machinery, and, so far, cast an additional burden upon the public. I think the Bill will require amendment, but I will vote for the Second Reading of it. I desired to say these few words, because in voting for the Second Reading of the Bill I by no means commit myself to the exact provisions which I find in the Bill without Amendment.

*(5.20.) MR. CUNINGHAME GRAHAM (Lanark, N.W.): I shall oppose this Bill for certain specific reasons which I desire to point out. It has been already pointed out that a certain rateable value must be raised by the various Unions, and, therefore, I presume if that is not raised from the richer ratepayers it stands to reason and common sense, that it must be raised from somebody else, and the great

does consider, that property of whatever kind is a fair and proper subject for rating. And therefore, as I see an opportunity by opposing this Bill of throwing the rates upon what I consider to be a proper subject for rating, I cannot Vote for the Second Reading. But I have another reason for so acting. It has been represented to us as a reason for assenting to the Second Reading that if we do not do so we are going in some mysterious way to throw great pains and penalties upon the working classes. Such a statement would be almost ridiculous if in any other Assembly than the House of Commons it was put forward for one moment. I would ask hon. Members if they are serious in saying if machinery were exempted entirely from rating, one single fraction of a farthing would go into the pockets of the working classes. Ever since hon. Members, coming from the same portion of the country as those who are now furthering the passage of this Bill, opposed the ten hours Bill, the endeavour of the manufacturing interests has been to prevent the participation of the working classes in any of the benefits which have been built up by national industry. If hon. Members can exempt motive power in their manufactories—steam hammers for example—if by exemption from rating of appliances of that sort they propose to increase, by way of bonus, the wages of their operatives, all I can say is they are going to take a new departure from the course in which they have acted since the beginning of the century. I want to know why the life-saving apparatus of coal pits, like pumping engines and the winding apparatus are to be treated in a totally different spirit to that in which hon. Members propose to treat steam hammers and other such appliances. If we are to exempt machinery and other appliances which are designed for the production of wealth from rating, my contention is that that machinery now used in coal pits, and which would be exempted if driven by horse-power or hand labour, should also be exempted. I hope the House will not assent to the Second Reading of this Bill. I believe in

making this artificial distinction betwixt different sections of machinery this House would be inflicting a wrong on the community as a whole. And, therefore, as a member of the community I object to any injury being done to us by the action of the House of Commons, which is a good individualistic sentiment that I have no doubt the Member for Gloucestershire will applaud. I would ask hon. Members on this side of the House what would have been their attitude towards a Bill framed by the Irish landlords to escape rating? We should have had them rising up as guardians of the interests of the poor, and protesting against this injustice being done to their poor constituents. I want to know what difference there is between a landlord attempting to escape his due share of rating, and a Liberal manufacturer or even a Conservative manufacturer endeavouring to do the same thing? Ten days ago we appealed to the hon. Member for Gloucestershire, and asked him to vote for the Payment of Members Bill, and in that way do justice to the working classes. I can understand his purity of motive, but somehow there must have been some confusion in the hon. Member's mind over his desire to benefit the working classes, when his action then was so singularly different from that which he invites the House of Commons to take to-day.

Question put.

The House divided:—Ayes 232 ;
Noes 122.—(Div. List, No. 70.)

Main Question put, and agreed to.

Bill read a second time, and committed for To-morrow.

SEA FISHERIES REGULATION (SCOTLAND) BILL.—(No. 233.)

SECOND READING.

Order for Second Reading read;

MR. MARJORIBANKS (Berwickshire): May I ask the Lord Advocate to inform us as to the course the Government purpose to take in regard to this Bill, which has been introduced to give effect to the Resolution moved by myself and accepted by the Government, together with the addition sug-

gested by the First Lord of the Treasury?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I believe it is possible a measure may be introduced by the Government for dealing with this matter. But in reference to this Bill it is out of the question that it should pass a Second Reading without a full discussion.

Second Reading deferred till Monday next.

SHERIFF CLERKS DEPUTE (SCOTLAND) BILL.—(No. 197.)

SECOND READING.

Order for Second Reading read.

Mr. PHILIPPS (Lanark, Mid): May I ask the Lord Advocate has he had his attention called to this Bill, and does he consent to the Second Reading?

*SIR C. J. PEARSON: No, Sir.

Second Reading deferred till Tomorrow.

GAMING ACT (1845) AMENDMENT BILL.—[Lords].—(No. 247.)

Considered in Committee, and reported, without Amendment; read the third time, and passed, without Amendment.

EQUIVALENT GRANT (SCOTLAND) DISTRIBUTION.

Return ordered—

"Showing for each County in Scotland, and each Royal or Police Burgh in such County, how much each would receive of the sum of £100,000 if distributed according to valuation, 1890-91, and population, 1891, respectively.—(Mr. Hunter.)

NATIONAL DEBT.

Return ordered—

"Showing at the close of each financial year, from 1835-6 to 1891-2, both inclusive, the aggregate Gross Liabilities of the State as represented by the Nominal Funded Debt, Estimated Capital Value of Terminable Annuities, Unfunded Debt, and other Liabilities in respect of Debt, the estimated Assets, and the aggregate Net Liabilities, also the Exchequer Balances; and, showing at the close of each financial year, from 1835-6 to 1891-2, both

Mr. Marjoribanks

inclusive, the Gross and Net Expenditure charged on the Consolidated Fund on account of the National Debt, and other payments in respect of Debt (in continuation of Parliamentary Paper, No. 390, of Session 1891).—(Sir William Harcourt.)

BUILDING SOCIETIES.

Return ordered—

"Of Building Societies incorporated under the Building Societies Acts which have terminated, or been dissolved, or have otherwise ceased to exist, under the following heads:—Register number.—Name of Society.—Year of establishment.—Year of termination.—Manner of termination.—Number of members where known.—Remarks.—(Mr. Gerald Balfour.)

PUBLIC PETITIONS COMMITTEE.

Sixth Report brought up, and read; to lie upon the Table, and to be printed.

MOTIONS.

EDUCATION (SCOTLAND) LAW AMENDMENT BILL.

On Motion of Mr. Donald Crawford, Bill to amend the Education (Scotland) Acts, 1872 to 1883, ordered to be brought in by Mr. Donald Crawford, Mr. Buchanan, Mr. Edmund Robertson, and Mr. Munro Ferguson.

Bill presented, and read first time. [Bill 261.]

TECHNICAL INSTRUCTION (SCOTLAND) BILL.

On Motion of Mr. Bryce, Bill to explain and amend "The Local Taxation (Customs and Excise) Act, 1890," with respect to contributions for Technical Instruction in Scotland, ordered to be brought in by Mr. Bryce, Mr. James Campbell, Mr. Marjoribanks, Mr. Parker Smith, Mr. Leng, Mr. Esslemont, and Mr. Donald Crawford.

Bill presented, and read first time. [Bill 262.]

RIGHTS OF WAY PROCEDURE (SCOTLAND) BILL.

On Motion of Mr. Bryce, Bill to amend the Law relating to Procedure in Right of Way Causes in Scotland, ordered to be brought in by Mr. Bryce, Mr. Robert Reid, Mr. Munro Ferguson, Mr. Haldane, Mr. Donald Crawford, and Mr. Asquith.

Bill presented, and read first time. [Bill 263.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 7th April, 1892.

PRIVATE AND PROVISIONAL ORDER
CONFIRMATION BILLS.

Ordered, That Standing Orders Nos. 92 and 93 be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Easter, be extended to the first day on which the House shall sit after the recess.

LOCAL GOVERNMENT (SCOTLAND)
ORDER (GLASGOW, &c.) BILL [H.L.].

Read 2^a (according to order).

PILOTAGE PROVISIONAL ORDER BILL.
LOCAL GOVERNMENT (IRELAND)
PROVISIONAL ORDER (No. 1) BILL.

Read 2^a (according to order), and committed to a Committee of the Whole House on Monday the 2nd of May next.

BILLS OF SALE BILL [H.L].
PUBLIC AUTHORITIES PROTECTION
BILL [H.L.]

House in Committee (according to order); Bills reported without amendment; and re-committed to the Standing Committee.

STATUTE LAW REVISION.

THE LORD CHANCELLOR (Lord HALSBURY): My Lords, I have to move that my noble and learned Friend (Lord Thring) be added to the Joint Committee on this subject. I should explain that I should have originally inserted the noble and learned Lord's name on my list, but, inasmuch as he had taken a most active and useful part in the Committee, and as criticisms had been made upon that Committee's work, it was thought better that those who had been actively engaged upon it should not form part of the present Committee. The other House, however, have not taken that view, but have appointed some Members who have taken part in it, and therefore I see no reason why your Lordships should adhere to that opinion. I hope

the noble and learned Lord will have no objection to the Motion.

Moved, "That the Lord Thring be added to the Joint Committee."—(*The Lord Chancellor.*)

Motion agreed to.

ELECTRIC AND CABLE RAILWAYS
(METROPOLIS).

Report from Committee of Selection proposing that the Five Lords following be named of the Select Committee to join with the Select Committee of the House of Commons, namely—

E. Lauderdale,
E. Strafford,
L. Shute (*V. Barrington*),
L. Thring,
L. Kelvin:

Considered (according to order), and agreed to, and a Message ordered to be sent to the House of Commons, in answer to their Message of Monday the 21st of March last, to inform them of the appointment of the said Select Committee by this House.

House adjourned at twenty minutes before
Five o'clock, to Monday the 2nd of
May next, a quarter past
Four o'clock.

HOUSE OF COMMONS,

Thursday, 7th April, 1892.

PRIVATE BUSINESS.

LONDON WATER (No. 1) BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

*SIR J. LUBBOCK (London University): The question of the Metropolitan water supply is of great, of pressing, and increasing importance. It is not necessary in moving the Second Reading of this Bill, nor have I any desire, to impugn the quality or quantity of the companies' supply; but the population of the Metropolitan area and the surrounding country increases very rapidly, and, of course, that implies a corresponding increase in the demand for water, while it increases the difficulty of maintaining the purity of the supply. I do not wish to trouble the House with statistics, and will merely point out that the population, which in 1870 was 3,350,000,

in 1891 had become 5,700,000, and is still increasing. The demand for water within the Metropolitan area supplied by the companies is now, on an average, 184,000,000 gallons a day. The average daily quantity taken from the Thames is 97,000,000 gallons, rising upon occasions to 105,000,000. The amount considered by the Royal Commission as the maximum which ought to be taken from the Thames was 110,000,000, and the maximum amount which legally can be taken is 130,000,000. We are then approaching very nearly the limit of our tether, and this in the face of a rapidly-increasing population. The matter is the more pressing because, even if this House granted a new supply, that must be taken from a source at such a distance from London that it would certainly be ten years before the supply would reach London. Under the law as it at present exists, London is prevented from taking any steps to protect itself, and to insure this future supply, while other cities are appropriating the remaining sources of supply. As regards taking more water from the Thames and its tributaries, that would be a proposal, I am sure, vigorously resisted by the Home Counties, the alternative, sometimes recommended, is to have recourse to deep wells. I may quote the Report of the Royal Commission of 1869, where they say with justice—

“Any water obtained by tapping the chalk reservoirs would only *pro tanto* diminish those streams and would, therefore, be little or nothing gained to the general supply.”

Now, the majority of my colleagues on the London County Council do not always agree with the Corporation of London, but upon this subject I am happy to say the County Council and the Corporation are working harmoniously together. We did at first differ on the subject of water, but when we came to compare our views and to take counsel together we found we arrived at the same conclusion; and I desire to recognise the courtesy we have received from the representatives of the City on this subject. I have the honour to introduce the Bill on behalf of both the County Council and the Corporation, and the combination will, I hope, insure a favour-

Sir J. Lubbock

able consideration from the House. We propose to constitute a Joint Water Committee to deal with the whole question. The Corporation will have power to nominate any competent persons to represent them. As the Bill stands the County Council will be limited to our own members, but there is great force, I think, in the recommendations of last year's Committee that the same freedom of selection should be afforded the County Council. That, however, is a matter for Committee. Now objection, I understand, has been taken to the Bill by the Water Companies—I hope it may not be so, but I am anticipating what may be said, though I do not know that it will be—that the Bill authorises the County Council to introduce into Parliament Bills for promoting schemes for independent works in competition with the undertakings of existing companies. But I desire to point out that in this respect all that London asks is to be placed in the same position as other Municipalities. The introduction of this clause does not indicate a desire to take any unfair advantage of the companies in this respect. But Parliament has never laid down a hard and fast rule that under no circumstances should such a course be refused. We can imagine circumstances in which it might be necessary. All the Bill does is to place London in the same position as other Municipalities, and it will not authorise us to carry out any such scheme, but only, if we think it necessary, to prepare such a scheme and place it before this House. That is a power possessed by every Municipality, and in introducing a Bill dealing with the subject I do not see why London should not have similar power. It is also said the Bill is not now as necessary as it was, and that it ought not to be pressed forward on account of the fact that Her Majesty's Government have appointed a Royal Commission to inquire into the subject, but I submit to the House that that fact shows all the more strongly the desirability of passing some such Bill as this I have now the honour of moving. It shows at least that in the opinion of Government there is a *prima facie*

case. If the Royal Commission should report in favour of a new or supplementary water supply, then before we could do anything to give effect to such a recommendation at least a year, and perhaps more, would be required to pass a preliminary Bill such as this now proposed. We only ask Parliament to place us in a position to act promptly should the Royal Commission declare the necessity for doing so. In consequence of the appointment of the Royal Commission the Bill will have to be materially modified. As it stands Clause 5 gives certain powers of inquiry to the County Council which in view of the inquiry by Royal Commission are not now required. The clause was adopted before the Government had determined upon the Commission. We have no desire to harass the companies or to act unfairly towards them. We propose, therefore, to omit the clause in Committee. Then it has been thought that Clause 3 goes too much into detail, and we propose, at the suggestion of Government, to modify the clause, striking out the detail and inserting general powers. I do not know that in moving the Second Reading I need go into further detail. We had a very interesting discussion not long ago on the subject of a water supply for Birmingham, and I think it was shown that there is a general opinion that quite enough water is taken from the Thames, and in view of the rapid increase of population the subject of our water supply is one of great importance. Under the circumstances, and seeing that the Bill is not very complex in character—that it only asks that the London County Council shall be invested with the powers enjoyed by other Municipalities—I hope the House will now give the Bill a Second Reading.

Motion made, and Question proposed,
“That the Bill be now read a second time.”—(Sir John Lubbock.)

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I went through the Bill in conference with the representatives of the Corporation and the London County Council, and I think they have fairly met the

objections I felt to some of the clauses in view of the fact that the Government had appointed a Royal Commission to deal with the London water supply. As my right hon. Friend knows, the Government were originally of opinion that it would have been better to have followed the suggestion made by the Committee on the Water Bills of last Session, that the County Council itself should conduct an inquiry into the question of the London water supply; but the London County Council represented to us, as did the Corporation, that they would be considerably hampered in the want of power to conduct a proper inquiry, and they pressed on the Government an inquiry by Royal Commission. We acceded to the request of the London County Council and the Corporation, and I think my right hon. Friend and the House will admit that, both in regard to the instructions given to the Royal Commission and the *personnel*, we have done our utmost to meet the necessities of the case, and to secure a proper, full and impartial investigation into this enormously important question. Having done that, I represented to the gentlemen who waited upon me that it was impossible to assent to the clause enabling the County Council and the Corporation to conduct an inquiry into the question, and to examine into the books and works of the Water Companies. I think it would be very unfair to them that while an inquiry such as this was being undertaken by a Royal Commission, a similar inquiry should be conducted by the County Council and the Corporation. The justice of that view was acknowledged, and, therefore, as my right hon. Friend says, Clause 5 will disappear from the Bill. I also objected to Clause 3, because I thought not only did it give power to the County Council to introduce a Bill connected with the water supply, but it was framed on rather too combative a principle, putting in the forefront of the clause some of the most debateable questions possible to conceive. I was also informed by the Chairman of Committees that he would regard such a clause as contrary to the views expressed by the Committee which sat last year. But I also said at the same time that I did feel, looking at the

position at which we had arrived on the water question, that I did not think the Government could fairly ask the House of Commons to reject a clause giving the County Council some power to introduce a Bill. I intimated that while not approving of Clause 3 I should be satisfied with a clause giving general powers to the County Council to introduce a Bill. As a matter of fact, what it amounts to is this: simply that if they introduce a Bill they shall be enabled to pay the cost of such introduction from the rates. This is the same power any other Municipality has in introducing a Bill, but unless a clause of this kind were inserted they would have to run the risk of having to pay the cost of the Bill. I felt that a body like the London County Council having gone carefully into the matter, and a Committee of the House of Commons having indicated that the County Council ought to proceed further, the Government could not fairly ask the House to refuse power to the County Council to introduce such a Bill if they should think it necessary. I think it is extremely probable that the County Council may think it undesirable to introduce such a Bill until the Royal Commission have reported. I do not imagine they have any idea of doing so until then, but they say it is possible they may require or wish to act promptly after the Royal Commission have presented their Report, and for this reason they ask for this power in the Bill. My right hon. Friend has omitted to mention two points upon which the Bill will need amendment. Sub-section "A" of Clause 4 should be omitted. Power is taken by that for the London County Council to make and enforce regulations now made and enforced by the Local Government Board in respect to every water supply throughout the whole country. Whatever form powers in connection with those regulations may take at some future time, I think they should not be transferred until matters are further developed. There are also the words "public or" which should be omitted from Sub-section "B." I see no reason why the London County Council should not have power to make a private inquiry while the Commission make a

public inquiry. When these Amendments are made the Bill will assume this shape: it will set up a Joint Committee of the London County Council and the Corporation, and this Joint Committee will have power to make private investigation and to endeavour to come to arrangements with any Water Company who may choose to have negotiations with them, and it will give the County Council power, when it is thought right, generally to deal with water business.

(2.25.) COLONEL MAKINS (Essex, S.E.): The Water Companies are now perfectly satisfied with the action of the Government and the right hon. Gentleman. The Bill as first introduced was in an objectionable shape, but now, by agreement between my right hon. Friend and representatives of the Corporation and the London County Council, it has been brought into a shape to which there is very little objection indeed. I think, if the companies had been addressed in the moderate tone and fair manner in which my right hon. Friend has introduced this measure, there would have been no necessity whatever for saying anything in opposition to the Bill. The Bill itself, no doubt, carries out practically, or to a very great extent, the recommendations of the Select Committee which reported in July last year. In one important respect, however, it does not do this. The Select Committee made it a very strong point that the County Council should not take steps to introduce competing measures with the Water Companies, and that the House should not give countenance to such measures. That is the only point upon which I should like some further assurance. No doubt the Water Companies are unpopular, but be it remembered they are the creatures of Parliament, they were created by Parliament, that they are bound hand and foot by Acts of Parliament, and are controlled by the Board of Trade and the Local Government Board, and if they have committed faults heavy penalties have been imposed, and they may charitably be supposed to have purged any offence they may have committed. If competing Bills are to be brought in, a large amount of ratepayers' money, as

well as shareholders' money, may be wasted in useless attempts at legislation. It is quite true that other large towns have powers to promote Bills, but I am not aware that in all these 50 or 60 cases there has been shown that very strong feeling of antagonism towards Water Companies which has been displayed by some of the members of the London County Council, and there has been no case in which the rights of a Water Company have been compulsorily acquired without arbitration. If everyone had spoken in the tone my right hon. Friend has adopted, the companies would have less objection to the Bill. But there are other members of the Council, such as Sir Thomas Farrer, who, in speeches, in evidence before the Committee, and in letters to the newspapers, have never ceased to exhibit towards the Water Companies an *animus finandi* of the most violent character. It would not be difficult to give quotations to justify my statement, and but a few days ago Sir Thomas Farrer gloated over the ruin which he thought had been brought upon the Water Companies by the efforts of himself and others, and in proof of his success Sir Thomas Farrer referred to the fall in the value of Water Stock. But what does this mean—this fall in the value of the Water Companies' Stock? It means that a great deal of unnecessary loss and pain falls upon widows and orphans who hold the Stock, and though little sympathy is expressed I think that as much is deserved by them as by the working classes of whom so much is said. Sir Thomas Farrer has expressed delight at the fall in the price of Stock, but that reduction has nothing to do with the value of the property, it has only to do with those who are compelled to sell. The property is held on the faith of Acts of Parliament, and so long as those Acts are maintained the property will keep its value. I hope we shall have the assurance confirmed that there is no intention to introduce competing Bills into Parliament. As I have said, the Water Companies were created by Parliament, and are content to rest their case in the hands of Parliament. If there is no intention to work injustice to the companies by these competing measures I have

no more to say, but if there is no such intention, let the fact appear on the face of the Bill, by an Amendment that should be made perfectly clear. I have given notice of an Instruction which would bring the Bill into absolute accord with the Report of the Select Committee, but after the very fair and moderate way in which the Second Reading has been moved, and after the speech just made by the President of the Local Government Board, I think we may rest satisfied that no injustice will be done. I am quite sure that this is the desire of the great majority of the House, though unfortunately that is not an unanimous desire. Having made a protest against confiscating legislation, I shall best consult the interests of those I represent, and of the House generally, by giving notice that I shall not move the Instruction standing in my name.

(3.34.) MR. J. STUART (Shoreditch, Hoxton): As I suppose from the withdrawal of the Instruction that the Bill will be allowed to go through without opposition, I think I should not allow this opportunity to pass without a reply to the remarks of the hon. Member who has just sat down, with respect to my friend Sir Thomas Farrer. The attitude of Sir Thomas Farrer on this question has been extremely misrepresented by the hon. Gentleman, who has spoken as if Sir Thomas Farrer and other members of the London County Council have not due regard for the interests of widows and orphans. We admit there may be widows and orphans who may be owners of shares in Water Companies; but, Sir, there are widows and orphans who are ratepayers of London, and whose interests equally demand consideration. The hon. Member seems to think that the first action of the London County Council should be to buy up the Water Companies' property at the price the Stock stands in the market now.

COLONEL MAKINS: No, by arbitration.

MR. J. STUART: I should like to point out that the early anticipation of an arrangement to purchase is an easy ready means of keeping up the price of the shares; but on the other hand the fall in price shows that it is undesirable

to hurry in the matter. As to the London County Council introducing competing Bills for a water supply, I may observe that the power to introduce such Bills is in no sense co-extensive with the probability of such Bills being passed. There is no intention of granting to the London County Council any privileges or rights other than those possessed by every other Municipality in the country. All we seek is the right to introduce certain Bills which, being introduced, the House will decide upon them on principles of fairness and justice to all parties.

*(3.37.) **SIR J. LUBBOCK:** I merely wish to add a few words. As to the 5th clause, we should not have introduced it at all if at the time we had been aware that the Government were about to appoint a Royal Commission. That Commission being appointed we felt the clause was unnecessary, and though, technically, we could not withdraw it, we are prepared to do so in Committee. As regards Clause 3, I may say it was not introduced in any combative spirit, but from a desire to show our intention fully, and we are quite ready to accede to the suggestion of the President of the Local Government Board.

Bill read a second time, and committed.

MESSAGE FROM THE LORDS.

Electric and Cable Railways (Metropolis).—That they have appointed a Committee, consisting of Five Lords, to join with the Committee of the Commons (pursuant to Message of this House) on Electric and Cable Railways (Metropolis).

Statute Law Revision.—That they have added a Lord to the Joint Committee appointed by both Houses to consider the subject of Statute Law Revision, and request this House to add one of its Members to the said Joint Committee.

QUESTIONS.

BARKISLAND ENDOWED SCHOOL.

MR. STANSFELD (Halifax): I beg to ask the Vice President of the Committee of Council on Education whether the Barkisland Endowed

School Scheme, approved by the Charity Commissioners on the 8th August, 1890, and submitted to the Committee of the Privy Council, has been considered by him, and with what result?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): This scheme is strongly opposed in the locality, and the Department is now in communication with the Charity Commissioners with a view to meeting a demand for more direct local representation on the Governing Body, and in order, among other things, to modify certain provisions of the scheme which the Education Act of last year has rendered obsolete.

ARMY SCIENCE EXAMINATIONS.

SIR H. ROSCOE (Manchester, S.): I beg to ask the Secretary of State for War whether he is aware that science is not a compulsory subject at the entrance examination for Woolwich, and that, although science is taught at the Royal Military Academy, no fixed minimum attainment in the subject is insisted on there; whether he is aware that, in consequence of these facts, it is possible for a cadet to gain admission to the Scientific Corps of the Royal Engineers without possessing a fair elementary knowledge of any branch of experimental science; whether he is aware that, owing to the above fact, and to the generally disadvantageous position of those cadets who have entered the Royal Military Academy with a knowledge of science as compared with those who have taken German at the entrance competition, it has of late become increasingly difficult to maintain science studies in the Army classes of public schools, and that, in consequence, there is likely soon to be a falling off in the proportion of candidates who offer science in these competitions; and whether he will undertake to investigate and to remedy this evil?

***THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle):** Science is not, and never has been, a compulsory subject in the entrance examination for the Royal Military Academy; but as an optional subject it is on the same level as regards marks as higher mathematics,

modern languages, and classics. Science is one of ten subjects taught at the Academy, but it would be unreasonable to insist on every candidate qualifying in every subject. It is scarcely possible for a candidate to gain admission to the Engineers without a fair elementary knowledge of chemistry and physics, and so far no cadet has done so. I am not aware of the fact that it has of late become increasingly difficult to maintain science studies in the Army classes of public schools, or that in consequence there is likely soon to be a falling off in the proportion of candidates who offer science in these competitions; but I have received a paper on the subject from the hon. Member, which is being carefully looked into at the War Office.

SCHOOL ATTENDANCE—THE ABOLITION OF FEES.

MR. BARTLEY (Islington, N.): I beg to ask the Vice President of the Committee of Council on Education whether he will grant as an unopposed Return, and issue before the Education Department Estimates are considered, a statement showing the number of day scholars who were in average attendance in all the elementary schools in England and Wales during the first six months after the abolition of school fees, that is, ending 31st March, 1892, as compared with the number in attendance in the corresponding period ending 31st March, 1891?

SIR W. HART DYKE: The statistics collected by the Department are made up for the year ending 31st August, and I have no means of ascertaining the average attendance for any other period, but from the information supplied by the Inspectors who were consulted as to the effect of the Act during the first two months of its operation, it appeared that a considerable increase had taken place. The financial estimate submitted to Parliament is based upon the assumption that the average attendance will increase 2.2 per cent., as against 1 per cent. for the twelve months preceding the abolition of fees, but this estimate does not re-

present the full effect of the Act, because the average attendance for the period it covers is only partially affected thereby.

FREE MEDICAL ATTENDANCE FOR OFFICERS IN INDIA.

MR. KING (Hull, Central): I beg to ask the Under Secretary of State for India whether he is aware that "off-reckoning" Colonels in the Indian Army while in India have since 1887 been deprived of the privilege of free medical attendance in India, although, at the same time, the Indian Government was contending, for other purposes, that such officers were not retired, but were still serving; whether, by Her Majesty's Regulations both for Home and Colonial Service, all officers on full pay are not entitled to medical attendance; and why the privilege is refused to Indian officers?

*THE UNDER SECRETARY OF STATE FOR INDIA (MR. CURZON, Lancashire, Southport): The Regulation is not a recent one. Since 1871 it has applied to unemployed General Officers—whether drawing Colonels' allowances or not—and in 1887 it was extended to all other full pay officers on the supernumerary unemployed list, who were residing in India for their own convenience. The Secretary of State understands that under the Rules for the British Service officers on full pay, subject to certain conditions, receive gratuitous medical attendance. The Rules for the British Service do not apply to the Indian Army. Neither the Government of India nor the Secretary of State consider it necessary or desirable that officers who are not wanted in India for military duty, but who choose it as their place of residence merely for their own convenience, should have the privilege of free medical attendance.

THE PAYMENT OF INCOME TAX.

MR. KING: I beg to ask the Chancellor of the Exchequer if he will state how many individuals paid Income Tax in Great Britain in the financial year 1890-91; how many of these individuals paid upon incomes amounting to exactly £400 and under that sum; the total Income Tax receipts for 1890-91; and the total amount

contributed by individuals with incomes of £400 and under?

THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am afraid that I have no means of giving the information as desired. Under Schedules A and B of the Income Tax the only record is of the number of properties assessed and not of the individuals. Again, under Schedule C, the tax on which is chiefly assessed on bank dividends, there is no record of individuals; and under Schedule D each company assessed only counts as one assessment, although it may represent thousands of shareholders. There is a record, however, under "trades and professions," forming a section only of Schedule D, and also under Schedule E. The number of persons (thus limited) with incomes under £400 a year who were charged to Income Tax in 1889-90 was 554,527. The figures for 1890-91 are not yet available. The duty charged or assessed on such persons was £1,183,343, but this would be subject to some rebate for repayments in respect of life assurance and over-assessments. In 1890-91 the Income Tax yield was as follows:—Total net receipts, £13,143,932; total Exchequer produce, £13,250,000.

POST OFFICES AND BANK HOLIDAYS.

SIR J. LUBBOCK (London University): I beg to ask the Postmaster General whether any regulation has been issued requiring shops which are also postal sub-offices to remain open on Bank Holidays; and, if so, whether, considering the long hours of labour of shop assistants, he would reconsider the subject?

*THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): No such regulation has been issued. The general practice is to close the small offices which are not telegraph offices at noon on Bank Holidays, and in London and most of the large towns they are for the most part altogether closed. The tendency is rather to relax the existing conditions than to make them more stringent.

Mr. King

MINING ROYALTIES.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the fact, as stated in the Newspaper Press, that a valuable discovery of auriferous lead has been made in the workings of the Millwr Mining Company, Limited, near Holywell, Flintshire, and that, in driving levels at a considerable depth from the surface, some rich gold has been struck; whether, under the Acts of William and Mary, this gold will belong entirely to the mine owner, unless the Crown purchases the ore at £25 per ton; whether, under those Acts, if gold is found in a lead mine, a tin mine, copper mine, or iron mine, the mine owner is entitled to the gold, the Crown only having the pre-emption to purchase the ore at certain fixed prices; whether persons mining for gold alone, and not in combination with base metals, are protected in any way; whether the Woods and Forests Office are entitled to fix any royalty; and, whether legislation will be introduced by the Government with the view of protecting the State where gold is obtained from lead in the same manner as where gold is obtained by itself without being associated with the base metals?

MR. GOSCHEN: My answer to the first paragraph of the hon. Member's question is, No. With regard to the second, third, and fourth paragraphs, I would refer him to the Judgments delivered in the case of "The Attorney General v. Morgan." My answer to the fifth paragraph is, Yes. As regards the sixth, I can say nothing till the Royal Commission has reported.

BOROUGH AND COUNTY MAGISTRATES.

MR. STOREY (Sunderland): I beg to ask the Secretary of State for the Home Department whether he will grant a Return showing the Magistrates on 31st March, 1892, in the respective boroughs (having separate Commissions of the Peace) and counties, or divisions of counties, in England and Wales; and setting forth the name, description, trade and profession, and date of appointment of each Magistrate?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The information asked for by the hon. Member is to be found in Parliamentary Papers No. 13 of 1886 and 356 of the Session of 1888. It appears to be too early to call for fresh editions of these voluminous Returns.

GALLERY OF BRITISH ART.

MR. WHITMORE (Chelsea): I beg to ask the Chancellor of the Exchequer whether any further progress has been made in the negotiations with Mr. Henry Tate for the establishment of a Gallery of British Art; and whether, if Mr. Tate has finally declined to accept any site at South Kensington, the Government will consider the adaptability for this purpose of the alternative sites that have been suggested, at the back of the National Gallery, at Whitehall, and at Millbank?

MR. LAWSON (St. Pancras, W.): May I ask the right hon. Gentleman at the same time to say if he has had any communication from the London County Council on the subject?

MR. GOSCHEN: Replying to the last question first, I have not had any communication from the London County Council, but I have had an indirect feeler which I think proceeded from that quarter. No negotiations are in progress with Mr. Tate for the establishment of a Gallery of British Art. Mr. Tate has withdrawn his offer. With regard to the second part of my hon. Friend's question, the site at the back of the National Gallery has, I will not say been bespoken, but, at all events, been earnestly claimed by the Trustees of the National Gallery for the expansion of that institution, and I should not be prepared to make any statement as to the site at Whitehall or at Millbank.

SENTENCE ON A JUVENILE OFFENDER, EDINBURGH.

MR. S. SMITH (Flintshire): I beg to ask the Lord Advocate whether there is any truth in the statement in the newspapers that a child of the age of five years has been sentenced by Magistrates in Edinburgh to ten days'

imprisonment (for stealing from its father), to be followed by a committal to a reformatory; and whether steps will be taken to discharge the said child from any further punishment?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): There is no truth in the statement referred to by the hon. Member. The child in question is in his 14th year, and had been previously convicted of theft. This consequently was his second offence, and his father specially desired that he should be sent to a reformatory, as he had lost all control over him.

ZULULAND BOUNDARY COMMISSION.

MR. WEBB (Waterford, W.): I beg to ask the Under Secretary of State for the Colonies whether he will lay upon the Table of the House the Report of the proceedings of the recent Boundary Commission in the Ndzwandwe district of Zululand?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Report and other correspondence bearing on the subject will be laid before Parliament.

SPEY SALMON FISHERIES.

MR. SEYMOUR KEAY (Elgin and Nairn): I beg to ask the Lord Advocate under what title and for what consideration the Duke of Richmond and Gordon holds about eight miles of salmon fishings at the mouth of the Spey; whether he is aware that these fishings seriously injure the value of the fishings on the river generally; and whether any steps can be taken to remedy the evil?

*SIR C. J. PEARSON: I am unable to give any answer to the first part of the question, and I have no information relating to the second part. As to the last part, I have only to suggest that anyone who suffers from the alleged evil should take legal advice as to a remedy.

SENTENCE FOR NIGHT POACHING, NAIRN.

MR. SEYMOUR KEAY: I beg to ask the Lord Advocate whether his attention has been called to a case tried at the Sheriff Court in Nairn on

the 29th ultimo, when the son of a crofter pleaded guilty to night poaching, the facts being that the accused, being the only support of an aged father, and having failed to get work during the recent severe frost, had been forced by want to take a few rabbits, hundreds of which were running near his door, and that he was sentenced to imprisonment for one month, and to find caution for £20, or to suffer imprisonment for another month; and whether, in view of the fact that the law as it stands leaves the Judge no power to inflict a fine or reduce the amount of caution money, Her Majesty's Government feel disposed to take steps with the object of amending the law in the direction indicated?

***SIR C. J. PEARSON**: The statement of facts in this question is wholly inaccurate, except that the accused pleaded guilty, and received sentence as stated. The following are the facts according to my information: The case was a bad one, without any redeeming circumstance. The accused is 40 years of age. He had on a previous occasion been charged with night poaching, and forfeited his bail. The offence now in question was committed three miles from his home. So far from being the support of his father, the accused has been a source of continual anxiety to him. There was no lack of work. His father is a hard-working, industrious man, and was actually at work on the day in question; and the accused might have shared in the work if he had been so inclined. The law as it stands gives the Judge complete power over the sentence, and he may either fine or imprison as he thinks proper.

VACCINE LYMPH.

MR. SUMMERS (Huddersfield): I beg to ask the President of the Local Government Board whether he is aware that the humanised lymph distributed from the National Vaccine Establishment, which is derived from various public vaccinators throughout the country, has been found, on examination, to vary greatly in quality, and, in some cases, from 60 to 70 per cent. of the tubes have, upon microscopic examination by Mr. Farn, the official examiner of vaccine lymph, been rejected

as unfit for use; and whether, in view of these facts, he will advise that no lymph shall be used for public vaccination unless it has been first submitted to official microscopical examination?

***THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's)**: As I very recently informed the hon. Member, in reply to a question by him, the only humanised lymph distributed by the National Vaccine Establishment which is not microscopically examined is that supplied on points, and this lymph is exclusively furnished to the Department by their own officers, who themselves have carefully taken the lymph. I see no reason to advise a change in the existing arrangements as to the lymph for public vaccinations.

THE SHAMROCK IN THE ARMY.

MR. MAC NEILL (Donegal, S.): I beg to ask the Secretary of State for War whether he is aware that the Commander of the Forces in Ireland and the members of his Staff usually wear the shamrock in their regimentals on St. Patrick's Day; whether the Commander-in-Chief of the Forces in Ireland obtains the consent of his superior officer, the Duke of Cambridge, previously to wearing the shamrock in his uniform; and did Lord Wolseley on last St. Patrick's Day obtain any such express consent to the wearing of the shamrock; if not, will he explain the reason of this exception to the rule requiring the previous consent of the commanding officer to be given to the wearing of the shamrock?

***MR. E. STANHOPE**: The wearing of the shamrock on St. Patrick's Day by the Commander-in-Chief in Ireland and his Staff is a question for that officer's discretion. Lord Wolseley did not, as a matter of fact, attend any military parade on 17th March; nor did he wear the shamrock on that day.

MR. MAC NEILL: More shame for him then.

PIERS AND HARBOURS (SCOTLAND).

COLONEL MALCOLM (Argyllshire): I beg to ask the Lord Advocate when the decision on the schemes for piers and harbours, laid before the Secretary for Scotland by the County Councils under the West Highlands and Islands

(Scotland) Works Bill of last Session, will be given; and what steps are being taken with regard to them?

*SIR C. J. PEARSON: I have to inform my hon. and gallant Friend that the Secretary for Scotland hopes soon to be in a position to decide on the applications which have already been received, and is at present making inquiry into these applications under the power given to him by the Statute referred to.

STIRLING AND OBAN MAIL SERVICE.

COLONEL MALCOLM: I beg to ask the Postmaster General whether he has determined to maintain the accelerated mail service between Stirling and Oban all the year round; whether he has received tenders for the proposed improved postal service in the West Highlands and Islands; and, if so, how many tenders were sent in; whether they agreed to the conditions advertised as to an improved class of steam vessels with better speed, and, if they did not so agree, will he restrict the contracts to a period of twelve months, so that the public may have another opportunity of tendering?

*SIR J. FERGUSSON: It has not been found practicable to arrange for the maintenance of the accelerated mail service between Stirling and Oban all the year round. No tenders have been received for the postal services in the West Highlands and Islands that agree to the conditions advertised, and the only practicable proposals made are for the continuance of the existing service. The new contracts will be for a period of twelve months, terminable at any time on six months' notice.

THE LAGOS TREATIES.

MR. SUMMERS: I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the report in the *Lagos Weekly Record* for 23rd January of the interview with the Jebu deputation, in which it is stated that the Governor used the following language:—

"His Excellency knew that there was war in the interior; but the roads should be opened first, and afterwards he would see after the rest. That if they did not open the roads, and would not do so, he would coerce them into doing it, and that the matter of the war in the interior did not concern the Jebus";

whether Mr. Carter was authorised to use this threat of coercion, and whether his action in doing so has received the sanction of Her Majesty's Government?

BARON H. DE WORMS: The Governor acted under instructions from Her Majesty's Government, which were to the effect that he was to intimate to the King of Jebu that if he refused compliance with the demands made, the Governor had orders to take such measures as might be necessary to enforce them. The correspondence will be found among the Papers when presented to Parliament.

MR. SUMMERS: Can the right hon. Gentleman say when these Papers will be published?

BARON H. DE WORMS: I must give the same answer I have given before—Papers will be laid on the Table as soon as possible consistently with the public interest.

CONDITION OF THE STREETS BETWEEN VICTORIA STREET AND ST. JAMES'S PARK.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the President of the Local Government Board whether his attention has been called to the insanitary condition of the streets lying between Victoria Street and St. James's Park; and whether he will direct that an inquiry shall be made with relation thereto; and whether he proposes to take any steps to bring about the removal of the slaughter-house still existing in this locality?

MR. BURDETT-COUTTS (Westminster): May I ask the right hon. Gentleman is there any truth in the allegation that these streets are in an insanitary condition? Is it not the fact that the Vestry and the Sanitary Inspector are satisfied as to the condition of the streets?

*MR. RITCHIE: My attention has not been drawn to the insanitary condition of the streets between Victoria Street and the St. James's Park, or to the existence of the slaughter-house which is mentioned. If there is ground for complaint as to the condition of these places, the first step is to bring the facts of the case under the attention of the Local Authority, who are re-

sponsible for the sanitary condition of their district. I am not aware whether this course has been taken. If it has been, and without any satisfactory results, I shall be prepared to consider any statement of the facts with which I may be furnished.

SIR J. SWINBURNE: I may say I have already taken the steps suggested by the right hon. Gentleman, but matters have not improved.

*MR. RITCHIE: Perhaps the hon. Gentleman will let me have particulars.

AUSTRALIAN MAILS.

SIR J. SWINBURNE: I beg to ask the Postmaster General whether his attention has been called to the statement in the *Times* newspaper of 1st April that the French packet *Polynesia* left Adelaide 19 hours after the Peninsular and Oriental steamer *Victoria*, and reached Marseilles four days in advance of that steamer; and whether in future he will arrange that the Australian mails shall be carried by the quickest vessels?

*SIR J. FERGUSSON: Such a paragraph as is referred to in the question appeared in the *Times*, and no doubt meant to refer to the *Polynesian*, which left Adelaide 3rd March, and reached Marseilles 30th March. The *Victoria* left Adelaide 2nd March, and reached Brindisi 1st April, a day and a half before her contract time. The French steamers leave Adelaide only once in each calendar month; the English contract service regularly every week. To keep the mails out of the regular contract packet, whenever it chanced that a quicker French boat was to start shortly, would be to sacrifice the regularity of the service for the sake of an occasional quick transit. This would be very undesirable; and I cannot undertake to do so.

SIR J. SWINBURNE: Will the Australian mails continue to be sent by steamers which are beaten by four days on the voyage by steamers of another line?

*SIR J. FERGUSSON: It is in pursuance of the contract entered into by agreement with the Colonies for what was thought a fairly rapid service. I could not possibly disturb this for the sake of using a French steamer, which only goes once a month.

Mr. Ritchie

SIR J. SWINBURNE: When does the contract expire?

*SIR J. FERGUSSON: If the hon. Member will put down that question I will answer it. I cannot give him the information now.

CIVIL SERVICE EXAMINATIONS.

MR. J. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury whether certain candidates who failed to obtain places amongst those who were declared successful in the open competitive examination held in November last for nine Civil Service clerkships, Class 1, have since been offered and have accepted appointments in this same class; if so, what is the number of such unsuccessful candidates who have been given such appointments; what proportion of the total marks obtainable were respectively secured by such unsuccessful candidates; and what proportion did the number of the candidates in the competitive examination bear to that of the clerkships which have now been filled up?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): It is inaccurate to describe the candidates in question as unsuccessful, because the regulations specifically provide for the offer of subsequent vacancies to candidates remaining on the list if fully qualified. Three such vacancies have occurred and have been filled. It is not possible to state the total number of marks obtainable; but the three candidates alluded to gained 1,674, 1,545, and 1,456 marks respectively. The total number of competitors was 26, and the number who have received appointments is 12.

BALLYCASTLE AND BALLINA MAIL CAR DRIVER.

MR. JOHNSTON (Belfast, S.): I beg to ask the Postmaster General whether his attention has been called to the case of Denis Howe, driver of the mail car between Ballycastle and Ballina, County Mayo, who was found by the police in a house near the public road drinking, while the mail car was left without any supervision; and what the result of the case has been?

*SIR J. FERGUSSON: The incident above referred to appears to have

occurred on the 20th June of last year. Howe and several other men were summoned for being found on unlicensed premises drinking. He denied that he was there for that purpose, and stated that he had merely called to take up a passenger, and that he left his car for a few minutes only in charge of a passenger. The summons against him was dismissed. Howe has always borne a good character as a sober and steady man, and he is still driver of the mail car.

COMMITTAL OF DEBTORS.

MR. A. E. PEASE (York): I beg to ask the Secretary of State for the Home Department what is the number of persons that have been committed to prison by the County Court Judge for Circuit No. 15 during the year 1891, and up to 29th February, 1892, and in what gaols they are, or have been, incarcerated; what is the relative proportion, in the County Court Circuit No. 15, of imprisonments to judgments for plaintiffs compared with the rest of England; how many of the persons imprisoned are imprisoned for cases arising out of debts, how many were committed at the instance of the creditor, and how many at the instance of agents or debt-farmers; whether any of those persons have been under age or over 70 years of age; and, if they have, what are the numbers of each class respectively; whether it is necessary for the judgment creditor to prove means of the judgment debtor at the time of the hearing of the committal summons, or whether it is only necessary to show means at any time subsequent to the contracting of the liability; and whether the Government will consider the advisability of introducing a measure controlling imprisonment for debts other than fraudulent, and rendering illegal imprisonment in all cases arising out of non-fraudulent debts where the Court is moved by persons other than the original creditor or creditors, or a measure that will give to the poorer classes of the community the advantages given to the wealthier classes by the Bankruptcy Laws?

MR. MATTHEWS: The latest available statistics for which the hon. Member asks will be found at page 34 of the Parliamentary Return No.

337 of last Session, from which he can gather the proportion he asks for. Persons committed to prison by the County Court Judge of Circuit 15 are imprisoned in Durham, York, Leeds, and Northallerton Prisons. The application for commitment is in all cases at the instance of the creditor. There is no record to show whether a creditor appears in person or is represented at the Court. No record is kept at the Court of the age of the persons committed to prison; but the learned County Court Judge states that he is not aware that any debtor over 70 has ever been committed to prison by him. No person can be imprisoned for debt unless it has been proved, in accordance with Section 5, Sub-section 2, of the Debtors Act of 1869, that such debtor has means to pay, or has had them since the date of the judgment and has refused or neglected to pay. That comes very near to a fraudulent omission to pay. There appear to be no sufficient reasons for legislation to deprive a creditor of the right of enforcing his claims through a representative; and no satisfactory solution has been found, as yet, for the particular class of cases dealt with in Section 5 above-mentioned. The Bankruptcy Act of 1883 provides, by Section 122, a method by which the poorer classes can, without expense, obtain protection for their persons and property equivalent to the advantages of an adjudication in bankruptcy.

SIR H. DAVEY (Stockton): I beg to ask the Attorney General whether his attention has been called to the continuous increase in the number of commitments to prison for non-payment of debts in the County Courts, and particularly in Circuit No. 15; whether he is aware that considerable dissatisfaction exists with the present state of the law; and whether the Government proposes any legislation on the subject?

SIR R. WEBSTER: I can only refer the right hon. Gentleman to the answer which my right hon. Friend the Home Secretary has previously given on this subject.

SIR H. DAVEY: I give notice that I shall take an early opportunity of calling attention to this question.

THE CASE OF P. W. NALLY.

MR. P. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is optional with Prison Governors in Ireland to allow or disallow prisoners to give evidence before a Coroner as to the cause of death within the prison and the prison treatment of a fellow-prisoner; and whether there is any precedent for the action of the Governor of Mountjoy Prison in withholding from the Coroner the knowledge that five witnesses were willing to give material evidence as to the cause of the death of the late Mr. P. W. Nally?

MR. JACKSON: I am informed by the Governor of Mountjoy Prison that there is no reason to believe that any of the prisoners were in a position to give material evidence, or any evidence at all, as to the cause of the death of Nally. Had he had such knowledge as that indicated in the question, the Governor would undoubtedly have communicated it to the Coroner, which would have been following the ordinary course under the circumstances.

MR. P. O'BRIEN: Was the Governor at liberty to act on his own belief?

MR. JACKSON: I have had an opportunity of inquiring personally into this matter, and so far as I can gather there was no reason for the Governor to believe that these men were able to give any evidence at all as to the cause of death. No communication took place between the prisoners mentioned and the prisoner Nally subsequent to his illness; and the doctor, to whom I made reference, holds very strongly the opinion that none of the prisoners were in a position to give any evidence at all as to the cause of death. Had the Governor been in possession of any such knowledge he would certainly have communicated it to the Coroner.

MR. P. O'BRIEN: Did not the allegations of the other prisoners go to show that he was engaged in employment of which he frequently complained was killing him; and having this in view will the right hon. Gentleman not give the public an opportunity of knowing what he himself has learned by taking evidence by means of an independent inquiry?

MR. JACKSON: The hon. Member has been good enough to send me the newspaper cutting containing the statement of M'Auley. I have had careful inquiry made, and so far as I have been able to judge none of the statements to which the hon. Gentleman has referred have any foundation in fact.

EVICTIONS ON CLARE ISLAND.

MR. W. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Martin O'Malley has just been evicted by a force of police from his holding on Clare Island, and that a large number of ejectment processes are pending against islanders who were last year saved from starvation by public relief; and will the Government assist in carrying out any further evictions on the island?

MR. JACKSON: The Constabulary authorities report that the man referred to was evicted not by the police, but, at the suit of the landlord, by the Sheriff. Nineteen ejectment processes appear to have been taken out on the 1st inst. The hon. Gentleman is no doubt aware that the Government do not assist in carrying out evictions; personal protection to the Sheriff and bailiffs is afforded by the police when they are requisitioned so to do.

MR. W. O'BRIEN: Is the right hon. Gentleman aware that the Sheriff is also agent to the landlord, and will he continue to enable this gentleman as Sheriff to requisition the Forces of the Crown to protect himself as landlord agent for his own private purposes?

MR. JACKSON: I have no knowledge of the circumstances whether the person referred to acts in the double capacity, but, of course, the police are bound to give him protection when he acts in his capacity of Sheriff.

MR. W. O'BRIEN: I will put down a further question for to-morrow on this subject, and press for more information.

THE CONVICTS MULDOONY AND FINNIGAN.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is

aware that two men, a constable named Muldooney and a farmer named Finnigan, were convicted, about the year 1883, at the Sligo Assizes; if a Memorial, signed by several Magistrates of the locality where the offence was committed, has been addressed to the Government in favour of one of the convicted; if one of the convicted has been released; in favour of which of the convicted was this Memorial addressed; and which of the convicted has been released?

MR. JACKSON: Memorials have from time to time been received on behalf of the convict referred to, but it is not a fact that either of them have been released.

STEAM TRAWLERS IN IRISH WATERS.

COLONEL NOLAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many French and Scotch steam trawlers are now off the coasts of Galway and Mayo?

MR. JACKSON: I have caused inquiry to be made, and the Inspectors of Irish Fisheries report that there are steam trawlers off the coast of Galway and Mayo at distances ranging from 4 to 16 miles. They have no details as to their nationality.

COLONEL NOLAN: What is the approximate number?

MR. JACKSON: I do not give the numbers because, although I have the numbers for one or two places, I have not got them for all places, and, therefore, I cannot give a complete list.

COLONEL NOLAN: Will the right hon. Gentleman give a bare estimate?

MR. JACKSON: I should say about 20.

MR. W. O'BRIEN (Cork Co., N.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received a communication from the Westport Board of Guardians, calling the attention of the Government and of the Irish Fisheries Board to the destruction of nets and other grievous injury caused to the poor fishermen of Achill and Clew Bay by reason of the operations of foreign steam trawlers from France and elsewhere; whether the Irish Fisheries Board has investigated those complaints; and whether any steps will be taken to protect the native fishermen?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): Representations of the nature mentioned in the question have been received. The Inspectors have endeavoured to obtain the name of the vessel alleged to have done the damage, but so far have been unable to do so.

MR. W. O'BRIEN: Will the Inspectors continue their inquiries?

MR. JACKSON: Yes, Sir; but I do not quite see how they are to find out the name of the vessel. No one in the locality appears to know it.

MR. W. O'BRIEN: If the depredations continue, will the right hon. Gentleman consider the advisability of sending out a gunboat to protect the nets?

MR. JACKSON: I am unable to answer that question.

EVENING SCHOOLS—PAYMENT OF ANNUAL GRANTS.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Vice President of the Committee of Council on Education whether he will lay upon the Table a Code or Minute for regulating the payment of annual grants for evening schools; and if he expects to do so before Easter?

SIR W. HART DYKE: I have already stated that the revision of the Code dealing exclusively with those Articles which refer to evening schools is in course of preparation, and will, I anticipate, be laid on the Table in the form of a Minute. I cannot at this moment undertake to say when it will be ready.

THE ARMY PAY DEPARTMENT.

COLONEL BRIDGEMAN (Bolton): I beg to ask the Secretary of State for War why the Army Pay Department, which is one of the largest Departments in the Army, is unlike all the others in not having a representative at the War Office to administer its affairs?

*MR. E. STANHOPE: I am afraid all I can say at present is that the whole constitution of this Department is under consideration, and the suggestion made by my hon. Friend has not been overlooked.

SCHOOL TEACHERS AS MAGISTRATES AND DIRECTORS.

MR. LABOUCHERE (Northampton): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that Mr. Abraham Park, the principal teacher of the Albion School, Aston, is a Borough Magistrate, in which capacity he frequently sits on the Bench, and adjudicates on cases of parents prosecuted for not sending their children to school; that Mr. Edward Barlow, principal teacher of the Parochial School, Aston, is Director of several Public Companies; and that Mr. Joseph Redyard, principal teacher of the National School (Castle Hall), Staleybridge, is the Chairman of the Castle Spinning Company, Director of the Guide Bridge Spinning Company, and of the Staleybridge Company, a Magistrate, and an Alderman; and whether these gentlemen are infringing Clause 85 (e), chapter 4, of the New Code, 1890, in which it is laid down, as the condition of a grant to a school—

“That the principal teacher is not allowed to undertake duties not connected with the school which may occupy any part whatever of the school hours, or of the time appointed for the special instruction of pupil teachers”?

*SIR W. HART DYKE: The hon. Member has correctly quoted the conditions under which teachers are allowed to undertake duties not connected with the school, and I am not aware that these conditions have been violated in the cases to which he refers; but the Inspector will be instructed to make inquiry when he visits the schools.

THE GIBRALTAR SANITARY BOARD.

MR. SUMMERS: I beg to ask the Under Secretary of State for the Colonies whether the Secretary of State has received a copy of a resolution passed at a public meeting of the ratepayers of Gibraltar on 16th November, 1891, protesting against the putting into force of the Sanitary Order in Council (Amendment), 1891, as being injurious to the interests of the ratepayers, and depriving them of due repre-

sentation; and, further, protesting against the manner in which this Order in Council has been put into force; and what answer, if any, has been returned to the resolution in question?

*BARON H. DE WORMS: The protest was received in a letter from the Committee of the Gibraltar Ratepayers' Defence Association, dated the 25th of November last, and was replied to in a Despatch to the Governor on the 11th of December. I regret that it is not possible to give the answer to the protest of the Ratepayers' Association in the limits of a reply to a question, but it will be found in the Papers which it is proposed to present to Parliament.

MR. M'LAGAN (Linlithgow): I beg to ask the Under Secretary of State for the Colonies what was the respective proportional representation of the War Office, the Admiralty, and Colonial Department on the Sanitary Board at Gibraltar before the enforcement of the Sanitary Order (Amendment Order), 1891, and what is it now under said Order; and what is the proportion each of these Departments contribute to the rates?

*BARON H. DE WORMS: Under the Sanitary Order in Council of 1883 the War Office had two representatives, the Admiralty and Colonial Government one each. Under the Sanitary Order (Amendment Order), 1891, the War Office and Colonial Government have each two representatives and the Admiralty one. On the basis of the actual payments for water rate in 1889, and the assessment for general purposes rate in 1890, the War Office, out of a total of 517,477 pesetas, paid 194,988 pesetas, the Colonial Government 19,172 pesetas, and the Admiralty 16,816 pesetas. It must be remembered, however, that the Government Departments have contributed directly, in addition to their payments as ratepayers, one-third of the capital cost of all the important sewerage works.

MR. CAUSTON (Southwark, W.): I beg to ask the Under Secretary of State

for the Colonies whether he is aware that all the old members of the Sanitary Commission of Gibraltar, who were summarily dismissed under the Order of 1891 as being inefficient, have been invited by the Governor to serve on the new Commission, and have refused to do so on the ground that the Order in question gives despotic authority to the Governor, and deprives the ratepayers of their proper share in the representation on the Commission; and what steps the Government intends to take to fill up the vacancies still existing on the Board?

BARON H. DE WORMS: The old members were not dismissed as being inefficient, but the Sanitary Order (Amendment Order), 1891, provided that on its coming into operation the whole of the Sanitary Commissioners then in office should go out of office. One of the members of the old Board is serving on the new Board; another was appointed to the new Board, but has resigned. The Secretary of State believes that some, but not all, of the other members of the old Board were asked, and declined to serve on the new Board. As to the reasons assigned for such refusal, I must refer the hon. Member to the reply which I gave to a similar question asked by him on the 4th inst. As regards the last part of the question, Her Majesty's Government hope that competent persons will be found willing to fill the two vacant seats on the Board, and it would, in their opinion, be premature now to consider what steps should be taken, should this hope be unfortunately disappointed.

MR. CAUSTON: What is the right hon. Gentleman's reason for not stating the answer given by the gentlemen to whom he has referred?

BARON H. DE WORMS: Because we have not obtained the consent of those gentlemen to make those answers public. If the hon. Member wishes, however, to see them, I shall be happy to show them to him.

CYCLISTS IN HYDE PARK.

MR. P. O'BRIEN: I beg to ask the First Commissioner of Works whether he will consider the advisability of allowing cyclists to use the roads within Hyde Park as they are in other London Parks?

THE FIRST COMMISSIONER OF WORKS (MR. PLUNKET, Dublin University): The rules for the admission of cyclists to Hyde Park were in 1888 relaxed so as to allow of the use by cyclists of the road available for hackney carriages—I mean the road from Victoria Gate to Alexandra Gate. I do not think it would be wise, in the interests of the public generally, to admit cyclists on the other roads.

GRANTS FOR SECONDARY SCHOOLS IN SCOTLAND.

MR. BRYCE (Aberdeen, S.): I beg to ask the Lord Advocate whether Her Majesty's Government propose to require all schools receiving grants for secondary education under Sub-section (1) (b) of Section 2 of the Education and Local Taxation Relief (Scotland) Bill, to submit to inspection under Sub-section (1) (a); what classes of schools, besides schools under the management of School Boards, are to be admitted to participate in the grants under Sub-section (1) (b); and whether it is intended to extend the proposed grants to schools under the control of, or in connection with, any particular religious denomination?

***SIR C. J. PEARSON:** The hon. Member will no doubt feel that there is considerable inconvenience in making piecemeal statements on a somewhat complicated question of policy in answer to interrogations across the floor of the House. I will take care that full information shall be in the hands of hon. Gentlemen in time for the discussion which may be raised on the Committee stage.

MR. BRYCE: What form will the information take, and when may we hope to get it?

***SIR C. J. PEARSON:** The statement will, I anticipate, be in printed form, and be laid on the Table in ample time.

THE QUALIFICATION OF VESTRY-MEN.

MR. J. ROWLANDS (Finsbury, E.): I beg to ask the President of the Local Government Board whether he is aware that as a result of the judgment of Mr. Justice Denman in the case of "*Gordon v. Williamson*" many Vestries have become disorganised, Vestrymen who have fulfilled their duties a considerable time, under the impression that they were legally qualified, now being afraid that their case is covered by the above decision; and whether, in view of the approaching Vestry elections, it is his intention to take action to remove the present difficulties, and enable the ratepayers to have a free selection of candidates for the several Vestries?

*MR. RITCHIE: I am aware of the judgment of Mr. Justice Denman in the case of "*Gordon v. Williamson*," but I have no information that many of the Vestries in the Metropolis have become disorganised. The question as to the qualification of Vestrymen in the Metropolis is one which would necessarily be dealt with by a District Councils Bill for London, but it is not my intention to propose legislation on the subject apart from that general measure.

MR. J. ROWLANDS: Is the right hon. Gentleman aware that several Vestries have become disorganised, and, the present state of the law being so unsatisfactory, that Vestrymen do not like to put themselves in the position of becoming common informers?

*MR. RITCHIE: I would point out to the hon. Member that it is quite impossible to introduce and carry a Bill through both Houses to do away with any present inconvenience without dealing with the whole question.

PARCEL POST DELIVERY IN BELFAST AND DUBLIN.

DR. FITZGERALD (Longford, S.): I beg to ask the Postmaster General if he will explain how it happens that parcels sent from London through the Parcel Post are delivered in Belfast twelve hours earlier than they are delivered in Dublin?

*SIR J. FERGUSON: Parcels for the first delivery in Dublin must be posted in London in time for the dis-

patch by the 6.30 p.m. train from Euston *via* Holyhead. Parcels for Belfast are forwarded by the 8.0 p.m. train from Euston *via* Stranraer, and can therefore be posted an hour later in London for next day's delivery. It is only when parcels for Dublin are posted too late for dispatch by the 6.30 p.m. train that they are delivered later than those for Belfast, and the difference then is about eight hours, not twelve hours.

THE CASE OF MR. R. B. BRADSHAW.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been directed to a correspondence during the months of January, February, and March, between the Registrar General and Mr. R. B. Bradshaw, of Lisnaskea, County Fermanagh, and between the Registrar General and Dr. Knox, Local District Registrar of Lisnaskea, in reference to the prosecution by Dr. Knox of Mr. Bradshaw, at the instance of the Registrar General, for the non-registration of the birth and death of a child, and especially to a letter of the Registrar General on the 29th January, 1892, to Dr. Knox, in which he states—

"That the facts of the case were not put before this Department when you reported Mr. Bradshaw's name as a defaulter under the Registration Acts. As you were personally aware of the occurrence of the birth and death, you should have served Mr. Bradshaw with notice to register each within the legal time, and you have given no satisfactory explanation of your neglect to furnish Mr. Bradshaw with a form of statutory declaration for the registry of the birth, which it is alleged he applied for several times; further, you rendered yourself liable to a penalty by refusing to register the death when applied to within twelve months. Had the circumstances been known, instructions to prosecute would not have been issued to you."

Whether the Local Registrar, Dr. Knox was also the medical attendant at the birth and death of the child; whether the Registrar, on the 29th January and the 3rd February, requested Mr. Bradshaw to forward to the Department the amount of the costs he was put to in defending himself against a prosecution so instituted; and whether the Registrar will now order the repayment of these expenses to Mr. Bradshaw, as the least reparation due for such action?

MR. JACKSON: I understand that, as regards this case, Mr. Bradshaw was brought before a Magistrate and fined 2s. and 3s. costs for having failed to register the birth and death of his child. The matter was brought before the Registrar General, and as it appeared he had been fined according to law, the Registrar General felt that he could not interfere.

MR. JORDAN: The Registrar General's letter says—

"As you were personally aware of the occurrence of the birth and death, you should have served Mr. Bradshaw with notice to register each within the legal time, and you have given no satisfactory explanation of your neglect to furnish Mr. Bradshaw with a form of statutory declaration for the registry of the birth, which it is alleged he applied for several times; further, you rendered yourself liable to a penalty by refusing to register the death when applied to within twelve months. Had the circumstances been known, instructions to prosecute would not have been issued to you."

Was the Local Registrar, Dr. Knox, also the medical attendant at the birth and death of the child?

MR. JACKSON: Yes, Sir; but I do not understand that that statement of the Registrar General would in any sense exonerate Mr. Bradshaw.

OPIUM SELLERS IN BOMBAY.

MR. LAWRENCE (Liverpool, Abercromby): I beg to ask the Under Secretary of State for India whether the system of requiring the opium seller in Bombay to sell a minimum quantity of opium in the year, subject to a pecuniary penalty, has been abolished?

MR. CURZON: It will have been seen from pages 106 and 109 of the recent opium Blue Book that the Government of India have ordered the cessation of the practice of requiring from licensed opium sellers in Bombay the sale of a minimum guaranteed quantity, the object of which was to check the sale of contraband opium; that the Secretary of State has approved these instructions; and that a Report on the effect of these orders has been requested.

THE PLAGUE OF FIELD MICE IN THE SOUTH OF SCOTLAND.

MR. HOZIER (Lanarkshire, S.): I beg to ask the President of the Board of Agriculture whether, in view of the

character of the Report recently issued by the Board with regard to the plague of field mice, or voles, in the South of Scotland, he will, without delay, appoint a Committee to inquire and report as to the causes of the visitation, and the best means of getting rid of it?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): If I thought that the appointment of a Committee would solve the difficulty which is presented by this question, I would appoint one to-morrow, but I cannot see that it would add anything to the information already before us. I am afraid the plague is mainly due to natural and climatic causes, and that it is only to natural causes that we can look for its disappearance. I am encouraged in this belief by what occurred when it made its appearance before, some 16 years ago. I think that probably, where it is feasible, burning might be resorted to with advantage; but beyond this I frankly acknowledge that, with all the information we have been able to obtain, I am entirely at a loss to suggest any effective remedy for this calamitous visitation. I can only add that I shall be glad to do anything in my power to give prompt effect to any suggestions which may be made by others which may appear to give any reasonable hope of effecting the object in view.

THE IRISH AND AMERICAN MAIL SERVICE.

MR. SEXTON (Belfast, W.): I beg to ask the Postmaster General what is the annual sum now paid for mail service to the Great Southern and Western Railway Company of Ireland, and for what additional sum were the Company willing to afford the improved service desired by the Post Office; and whether the Treasury were willing to pay any, and, if so, what, additional sum for the improved service?

MR. P. O'BRIEN had notice to ask the Postmaster General whether he has received communications from the Cork Chamber of Commerce urging the desirability of an acceleration in the transatlantic and local mail service, and suggesting means by which it

could be accomplished; and whether he has decided to take any, and, if so, what, steps in the matter?

Mr. MAURICE HEALY (Cork) had notice to ask the Postmaster General whether he is aware that for commercial purposes there is only one mail in the day between Cork and London, as letters leaving Cork by the night mail are delivered the next day after business hours, and do not therefore reach the persons to whom they are addressed until the morning after their delivery; and whether the Post Office propose to take any steps to so improve the morning service as to increase the interval between the arrival and despatch of the day mails?

Mr. MAURICE HEALY had notice to ask the Postmaster General if he can state the extra cost involved in the recent improvements of the English mail system to Belfast and Londonderry, including the Stranraer route; whether the Treasury made any objections to this additional expense; and whether any reason exists why the Cork mail service should be dealt with less favourably than that to the North of Ireland, especially in view of the importance of the American mails?

Mr. MAURICE HEALY had notice to ask the Postmaster General whether he can state the amounts of the payments made to the Great Northern and Great Southern and Western Railways of Ireland respectively for the mail services between Dublin and Belfast and Dublin and Cork, including in the latter the American mail service?

Mr. MAURICE HEALY had notice to ask the Postmaster General whether any improvement of the mail service to Cork is now under consideration; and whether the Post Office Department have abandoned all intention of coming to terms with the Great Southern and Western Railway Company for an improved service of mail trains?

Dr. TANNER had notice to ask the Chancellor of the Exchequer if he would state what is the annual sum paid for the alternative, or supplementary, mail service to and from the North of Ireland *via* Stranraer and Larne?

Mr. P. O'Brien

Dr. TANNER had notice to ask the Postmaster General if he would state what is the total annual sum paid to Railway Companies in England, Scotland, and Ireland, respectively, for the carriage of mails?

Dr. TANNER had notice to ask the Chancellor of the Exchequer what was the annual sum paid to the Great Northern Railway Company before the recent acceleration of the mail service on their line of railway, and what was the additional sum granted for the improved service?

*SIR J. FERGUSSON: I should like at the same time to answer Questions 10, 64, 66, 67, 68, 77, 78, and 80. They are nearly identical and on the same subject.

MR. SEXTON: On a point of order. I have put this question to the right hon. Gentleman. I ask you if it is not in accordance with the Rules of the House that he should answer it at once?

MR. SPEAKER: The right hon. Gentleman proposes to answer the hon. Gentleman, but he thought he might answer a number of other questions at the same time.

*SIR J. FERGUSSON: The hon. Gentleman will see that I shall fully answer his question. I received communications and also a deputation of representatives of Cork and of the Great Southern and Western Railway Company of Ireland in support of these proposals. That Company was prepared, for an additional payment of £3,000 a year, to afford the improved service desired. That sum, I was advised, was reasonable and moderate in amount. In view, however, of the large increase of Post Office expenditure, it has not been thought proper to incur this and other items of additional expenditure for improved services; and the scheme is for the present, therefore, rejected. It is true, as stated by the hon. Member for Cork, that the night mail letters arriving in London from Cork, though delivered on the next evening, are not delivered till after business hours. No doubt, had the proposed acceleration of the morning mail from Dublin to Cork been adopted, the interval between its arrival and the despatch of the return day mail would have been increased. In the year 1891.

the total payments for mail services to the Great Northern Railway Company of Ireland was £41,341, and to the Great Southern and Western £40,781. It cannot be stated what parts of these sums were paid respectively for purely local services and otherwise. The additional cost involved in the recent improvement of the English mail service to Belfast and Londonderry was £18,500 a year—namely, for the Stranraer route £13,500, and for the accelerated train service £5,000. The arrangement was, of course, made with the sanction of the Treasury. The correspondence passing to and from the North of Ireland is much larger in amount than that to and from the South. The total sums paid to English, Scotch, and Irish Railways for the conveyance of mails are £599,930, £203,750, and £157,190 respectively.

MR. SEXTON: The right hon. Gentleman has answered only one out of the three inquiries in my question. He said the Company offered for £3,000 to give an improved service; he has not said what sum is now paid and what the Treasury are prepared to give.

*SIR J. FERGUSSON: I said that the sum now paid was £40,781, and I also stated that Her Majesty's Government did not think proper to expend the sum of £3,000 required, which is one of a large number of sums which it might be very judicious to expend, but the Treasury would not sanction that additional amount.

MR. SEXTON: Were they willing to give any part of that sum?

*SIR J. FERGUSSON: The additional service required a particular sum, which is moderate, and we did not attempt to cut it down. The whole proposal stood by itself, and, while reasonable in itself, it was not one we were prepared to incur at the time.

MR. MAURICE HEALY: The right hon. Gentleman stated that the mails to the North of Ireland are greater than those to Cork; does this include the American mail?

*SIR J. FERGUSSON: The through mails on either route include the American mails.

MR. MAURICE HEALY: Does he say that the mails from London to Belfast are greater than these from London to Cork, including the American mails?

*SIR J. FERGUSSON: The volume of the letters going to the North of Ireland is considerably the greater.

MR. MAURICE HEALY: I beg to ask the Postmaster General whether there is any prospect of the present unsatisfactory method of transferring the Irish and American mails from train to steamer, and *vice versa*, at Kingstown and Holyhead being improved; whether it is in the power of the Post Office authorities, under the terms of their contract with the London and North Western Railway Company, to require that Company to provide such mail vans as would permit the mails to be carried in crates, which could be lifted on board or on shore, without breaking bulk, by means of a crane; whether he is aware that the City of Dublin Steam Packet Company are strongly in favour of this system, and have expressed their willingness to contribute their share of the necessary expense of bringing it into effect; and whether the Post Office Department have made any inquiries as to whether the suggestions of the City of Dublin Steam Packet Company could be usefully and successfully carried into effect?

*SIR J. FERGUSSON: This matter has been fully considered several times. The mails are transferred with the utmost expedition at present, and the London and North Western Railway Company regard the proposed scheme as impracticable. The Department has no power to insist on its adoption; and looking at the serious difficulties in the way, independently of the question of expense, it is thought that the circumstances do not justify any further action by the Post Office.

MR. SEXTON: The right hon. Gentleman has not answered the paragraph as to whether the Department have made inquiries as to the proposal for transferring the mails?

*SIR J. FERGUSSON: I will investigate the matter, especially as it has been suggested; but I am afraid we

shall not be able to do much. I have answered the other paragraphs of the question.

THE EXTRA POLICE AT DURHAM.

MR. J. WILSON (Durham, Mid): I beg to ask the Secretary of State for the Home Department, with reference to the large number of policemen drafted into Durham from Yorkshire and Lancashire, whether he will inform the House on what grounds these extra policemen were drafted into the county, and what has necessitated their retention; and whether he can say at whose orders they were brought, and upon whom the cost of their bringing and maintenance will fall?

MR. MATTHEWS: I am informed by the Chief Constable that the extra police have been brought into the County of Durham for the preservation of the peace and for the protection of property, and that it is absolutely necessary that they should be retained in order to prevent disturbances. They were brought in at the instance of the Chief Constable, under Section 25 of the Police Act, 1890, and the cost of their bringing and maintenance will fall on the ratepayers.

MR. J. WILSON: May I ask if the right hon. Gentleman has seen the charge made to the Grand Jury of Durham on Monday by Mr. Wharton, a Member of this House, and Chairman of the Quarter Sessions? Mr. Wharton said he was happy to say that riot and outrage and breaking the law to any extent had been rare and isolated, and he was thankful to acknowledge the small amount of assault and outrage or anything approaching it; and day after day the struggle was maintained in a spirit of good humour and good conduct on the part of those concerned, and he had every hope it would be maintained in the same spirit to the end. Under these circumstances, I would like to ask the right hon. Gentleman whether he considers the retention of the police drafted from the counties round about was necessary, especially as they are a source of great irritation?

MR. MATTHEWS: Mr. Speaker, the responsibility of maintaining the peace in any part of the Kingdom rests on the Local Magistrates and the Chief

Constable, and I should certainly not take upon myself, *except* in an extreme case, to interfere with their discretion.

QUARTERMASTERS OF ROYAL MARINES.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether there is any reason why the provisions of Article 191, Royal Warrant, Pay and Promotion, 1891, should be withheld from Quartermasters of the Royal Marines, though freely conferred on Army Quartermasters?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The question of extending the provisions of the Royal Warrant in question to the Quartermasters of the Royal Marines is still under consideration.

THE DISCHARGE OF A WORKMAN AT CHATHAM DOCKYARD.

MR. BROADHURST (Nottingham, W.): I beg to ask the First Lord of the Admiralty whether he has made any further inquiry with regard to the discharge of a man named Sullivan from the Chatham Dockyard; and, if so, whether the result of such inquiry will enable him to order the re-instatement of Sullivan in the Dockyard workshops?

LORD G. HAMILTON: I have made further inquiry with regard to the discharge of Sullivan from Chatham Dockyard, and I find that, quite independently of the question whether he had completed his apprenticeship or not, his character as a workman was not quite satisfactory. As there is no difficulty in entering men possessing very good qualifications, I do not propose to give orders for the special re-entry of Sullivan in the yard.

PUBLIC MEETINGS AT THE WORLD'S END, CHELSEA.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for the Home Department whether he is aware that in the case of the prosecution by the Treasury of W. G. Pearson (a dock labourer), arising out of the World's End, Chelsea, meetings, an application to transfer the trial to the Court of

Queen's Bench was granted, subject to Pearson entering into recognizances for £300, and finding sureties for costs of £150 each; and whether any means exist whereby this trial, involving the question of right of public meeting, may be taken to the Court of Queen's Bench without insisting upon security for £600, which in the case of a dock labourer is necessarily prohibitive?

MR. MATTHEWS: I have no power to vary the Order of the Court on a matter wholly within their jurisdiction. It is open for any of those who consider that important questions are involved in the trial of the case to give the required security for costs to the amount of £300.

TIDAL WATER.

MR. MAURICE HEALY: I beg to ask the Secretary of State for War in how many and in what cases bye-laws have been made under 48 and 49 Vic., c. 36, affecting the sea or any tidal water; in how many and in what cases the consent of the Board of Trade has been obtained to such bye-laws when public rights were affected thereby, and in how many and in what cases the consent of the Board of Trade to such bye-laws was refused, and on what grounds?

*MR. E. STANHOPE: Bye-laws have been made under the Act referred to in the cases of Shoeburyness, Lydd, Landguard Fort, Warden Point, and Hurst Castle, and the foreshore of the Wash. In every case the consent of the Board of Trade was obtained. There has been no case in which the Board of Trade has refused consent.

THE TOKAR DISTRICT.

MR. BRYCE: I beg to ask the Under Secretary of State for Foreign Affairs, in view of the fact that in 1889 a Proclamation was issued by the British Governor of the Red Sea Littoral to the tribes round Suakin which contained the following passage:

"I write you again so as to let you and all the tribes know clearly what the Government intend to do. As you have been often told during the past few years, the Government does not wish to interfere with the freedom of the tribes, or to impose any taxes upon you."

whether it is the fact that, when the Tokar District was re-occupied in 1891,

the fertile lands of the Tokar Delta were seized and re-distributed, and are now forced to pay taxes to the Egyptian Government?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penzance): The Proclamation was issued nearly two years before the re-occupation of Tokar, and applied to a state of affairs which was completely modified by the latter event. The tax of 20 P.T. per acre imposed upon the Tokar lands is intended to cover the cost of seed supplied to the cultivators and construction works for the regulation of the water supply and other purposes. The lands were not re-distributed except so far as a natural re-distribution was caused by the alteration of the watercourses, which frequently occurs.

MR. BRYCE: Will the hon. Gentleman present any Papers on the subject?

*MR. J. W. LOWTHER: The hon. Member will find considerable information on the subject in the Papers which have recently been presented in the shape of a Report from Sir Evelyn Baring.

MR. BRYCE: Is it intended to present any Papers?

*MR. J. W. LOWTHER: It is not intended to present any Papers, but if the right hon. Gentleman wishes any particular information and will mention it to me I will endeavour to give him what he requires.

MR. A. O'CONNOR (Donegal, E.): What proportion will go for seed and what proportion for public works?

*MR. J. W. LOWTHER: I cannot say that without notice or without asking the Egyptian Government.

MINING ROYALTIES.

MR. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Under Secretary of State for the Colonies what are the amounts of royalties now charged upon the production of gold and silver in each of the Australian Colonies respectively; what is the charge to individual miners for miners' rights to work for gold and silver in each of such Colonies; has the legal estate of the Crown been assigned to or abrogated in favour of the various

Colonial Governments, or has merely the control and management of the Mines Royal of the Crown been assigned to them; does the Crown derive any royalties or other direct pecuniary advantages from the production of gold and silver in the Colonies referred to, and, if so, what sum is being paid yearly; and, if the Crown has any rights by virtue of its prerogative in the Australian Colonies, why are they not insisted upon as in the cases of Wales and Ireland?

BARON H. DE WORMS: Royalties are not charged in the Australian Colonies upon the production of gold and silver, but a miner's right is granted for a yearly fee of from 5s. to 10s., and leases of auriferous lands are given at a yearly rental per acre of from 5s. to 20s. The hon. Member will find full particulars in the Acts of the several Australian Colonies relating to gold mining, which he can see either in the Library of the House or at the Colonial Office. The hon. Member does not distinguish in the last part of his question between the rights of the Crown in this country and its rights in the Colonies. The waste lands in the Colonies belong to the Crown, but the Colonial Legislatures have been empowered to make laws regulating the sale and disposal of them, and the provisions to which I have referred are contained in the laws passed under his authority. The fees and rentals collected on behalf of the Crown are appropriated to the service of Her Majesty in the several Colonies.

DEFICIENT SCHOOL ACCOMMODATION.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to a letter written to the *Birkenhead News* of 26th March, 1892, by Mr. Hugh Williams complaining that he has applied to three schools, without success, for admission for his child; whether he will cause the facts stated by Mr. Williams to be inquired into; and whether, seeing that the Census shows that there is an actual deficiency of school accommodation in Birkenhead of over 800 places, which will be still further increased owing to the

recent condemnation by Her Majesty's Inspector of two of the existing schools, the Education Department will take immediate steps to have this deficiency supplied?

***SIR W. HART DYKE:** By the courtesy of the hon. Member I have seen Mr. Williams' letter, but inquiry has up to this date failed to elicit any evidence that children are on the whole not attending school properly, and I have reason to believe that the pressure upon certain schools is, in consequence of the representations of the Department, in a fair way of being removed by the provision of additional accommodation. A scheme is also on foot to build new schools sufficient to provide for the estimated increase of population during the next decennial period, and in connection with this movement the Wesleyans have undertaken to re-open their old school in the summer with modern improvements.

MR. PICTON: Has the right hon. Gentleman inquired into the case of Hugh Williams?

***SIR W. HART DYKE:** We have inquired generally, and, as I said, can learn nothing to show that there are many such instances. But I may say that though in most parts of the district there is ample accommodation, there are others where the accommodation is not sufficient.

THE "INFANTRY DRILL."

VISCOUNT NEWARK (Notts, Newark): I beg to ask the Secretary of State for War whether, as the new "Infantry Drill" provides for only one major in a battalion, the junior majors of battalions of the Reserve Forces will be obliged to resign their commissions; or, if not, what arrangement can be made for retaining these officers?

***MR. E. STANHOPE:** In the Regular Forces the Majors (except the one who is second in command) are company commanders, and in the new "Infantry Drill" it is only necessary to define the position of three mounted officers—namely, the commanding officer of the battalion, the second in command, and the adjutant. There is no suggestion that the junior majors of

Mr. Pritchard Morgan

battalions of Militia and Volunteers should resign. Their duties would naturally be defined by their commanding officer.

LIMERICK POST OFFICE.

MR. O'KEEFFE (Limerick City): I beg to ask the Postmaster General if he has received a memorial, numerous and influentially signed, requesting the establishment of a branch post office in the neighbourhood of Sarsfield Street, in the City of Limerick; and whether he can accede to the request of the memorial?

*MR. J. FERGUSSON: There was such a memorial in regard to a town sub-office in Brunswick Street, but I understand that this is otherwise called Sarsfield Street, and it was decided that the existing facilities were sufficient.

THE CASE OF MRS. MONTAGU.

COLONEL SAUNDERSON (Armagh, N.): I beg to ask the Attorney General for Ireland whether the attention of the Government has been directed to the recent trial in Ireland of a Scotch-woman, named Mrs. Montagu, for cruelly torturing her child to death; and whether he can inform the House why the further charges of cruelty alleged to have been perpetrated by the same woman were dropped, and a *nolle prosequi* entered? I should like to supplement this by asking the right hon. Gentleman if he can inform the House whether there is any method by which this monster of cruelty—

*MR. SPEAKER: Order, order!

COLONEL SAUNDERSON: Can be prevented from torturing her children when she is released from prison?

*MR. SPEAKER: Order, order! The rule to be observed in putting a question which is on the Paper must also be observed when putting a question which is not on the Paper.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): This case has received throughout my careful attention. The further charges of cruelty referred to in the question have not been finally dropped. I am informed by the Solicitor General for Ireland, who conducted the prosecution, that, having regard to the evidence in the posses-

sion of the Crown at the time of the trial, he did not consider it advisable to proceed with the charges of ill-treatment by Mrs. Montagu of her male children, Austen, Walter, and Gilbert. The course which he took enables the Crown to bring forward those charges again, should further evidence be available. Having regard to the fact that those charges are still pending against Mrs. Montagu, the House will see that it would be wrong for me to enter any further into the details of this case.

MR. A. O'CONNOR: Who is responsible for the preparation of the case?

MR. MADDEN: The case, in one sense, is prepared by the Crown Solicitor, but the form it assumes is largely dependent on the material which is laid before him.

MR. T. M. HEALY (Longford, N.): Will the right hon. Gentleman state whether it was by his instructions that Catholic jurors to the number of 17 were challenged at this trial?

MR. MADDEN: I have no information whatever, or means of information, as to the religion of the jurors who were challenged by the prisoner, or of the smaller number, as I observe, who were ordered to stand aside by the Crown. I may mention, as the case has excited considerable interest, that this prisoner was originally returned for trial at Londonderry Assizes, but at my instance the venue was changed to the County of Dublin in order that it may take place where the trial could not possibly be affected by local feeling or prejudice of any kind. It was there tried before a Special Jury of the City of Dublin, presided over by, perhaps, the most capable and experienced Judge on the Irish Bench.

MR. T. M. HEALY: I would ask the right hon. Gentleman whether, having regard to the feeling of horror which this case has excited amongst every class and every sect in Ireland, he does not suppose that Catholics who were summoned to attend this trial would regard it as an abominable slur upon them—

*MR. SPEAKER: Order, order!

MR. T. M. HEALY: That 17 of them were ordered to stand aside?

Mr. P. O'BRIEN : Does the right hon. Gentleman propose to proceed with the prosecution of the governess?

Mr. MADDEN : That is a different question.

Mr. JOHNSTON : Did the right hon. Gentleman receive a letter from a Roman Catholic priest testifying to the purity and piety of Mrs. Montagu?

Mr. CONYBEARE (Cornwall, Camborne) : May I ask whether, considering the extraordinary severity of the sentence on the girl Fanny Gane—

*Mr. SPEAKER : Order, order ! That is an improper question to put.

An hon. MEMBER : It is very hard on the poor woman.

*Mr. SPEAKER : Order, order ! It is not permissible to question the decision of a Judge in that manner.

Mr. NORRIS (Tower Hamlets, Limehouse) : I beg to ask the Attorney General whether, with reference to such cases as that of Mrs. Montagu, he will consider the expediency of introducing a Bill empowering the Public Prosecutor to intervene and take further proceedings in the public interest where indictments of a criminal nature have been withdrawn, and to do so notwithstanding conviction upon any other charge,

Sir R. WEBSTER : The hon. Member will remember that Mrs. Montagu's case arose in Ireland. So far as England is concerned, the regulations already in force relating to the office of Public Prosecutor are, in my opinion, sufficient.

ORDNANCE SURVEY.

Mr. PICKARD (York, W.R., Northampton) : I beg to ask the President of the Local Government Board whether it is a fact that where the population is over 4,000 the Ordnance Survey shall be made on a scale of 1-500 free of cost ; if so, whether he can state why the Director General of the Ordnance Survey has declined to make such survey in the parish of Rothwell, in Yorkshire?

*Mr. RITCHIE : Surveys on the 1-500 scale are only made free of cost in the case of compact towns having a population of over 4,000, and not in the case of districts in which the population is scattered over a consider-

able area. It was for this reason that the Director General of the Ordnance Survey declined to make a survey on the scale referred to in the parish of Rothwell, in Yorkshire.

LABOURERS' COTTAGES IN IRELAND.

Dr. TANNER : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state in how many cases have the Irish Local Government Board exercised their statutory powers under the Labourers (Ireland) Act in proceeding with schemes for erection of labourers' cottages in regard to which no effective action had been duly taken by the Boards of Guardians concerned?

Mr. JACKSON : Since the passing of the Act referred to in August last, the Local Government Board have received complaints against Boards of Guardians in three cases only. In one of these cases the Guardians have made an improvement scheme ; in the second the question is to be considered at a special meeting of the Guardians to be held on the 19th inst., and as regards the third the Local Government Board are at present in communication with the Guardians.

THE COUNCIL OF JUDGES.

Mr. ROBERTSON (Dundee) : I beg to ask the Secretary of State for the Home Department whether any Report has been made by the Council of Judges, and when it will be laid upon the Table of the House?

Mr. MATTHEWS : No Report has yet been received from the Council of Judges.

THE ANNUAL TRADE RETURNS.

Mr. HOLDEN (Walsall) : I beg to ask the President of the Board of Trade when the annual statement of the trade of the United Kingdom with foreign countries and British Possessions for the year 1891 will be issued ; and whether some means cannot be adopted to have this Return presented in future earlier in the Session?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.) : It is expected that the annual statement of trade for 1891 will be issued early next month. The

date of publication has been accelerated in recent years, and I hope next year will show a further improvement.

MILITIA SUBALTERNES.

MR. D. SULLIVAN (Westmeath, S.): I beg to ask the Secretary of State for War when the result of the examination of Militia Subalterns for commissions in the Army, held on the 16th and 17th March, will be made known?

*MR. E. STANHOPE: It is expected that the result will be promulgated during the Easter Recess.

THE CONSTRUCTION OF FISHERY PIERS AND BOAT SLIPS IN IRELAND.

MR. KILBRIDE (Kerry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state the amount at present in the hands of the Board of Works available for the erection of fishery piers and boat slips; also the amount the Congested Districts Board have in hand for the same purpose?

MR. JACKSON: I am informed that the only amount in the hands of the Board of Works in Ireland for the erection of fishery piers and harbours is a balance of £2,629 under the Sea Fisheries Act of 1883; but this has been allocated to the extension of Clogher Head Pier. There is no portion of the funds of the Congested Districts Board specially ear-marked for piers or boatslips.

MR. KILBRIDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government received a memorial last year from the fishermen and other residents on the south side of Dingle Bay praying for the construction of fishery piers and boatslips at Coonana and Croom-Croun Harbours; whether he is aware that on several occasions the fishermen when launching their boats are obliged to wade up to their middle to try and save their boats from being broken, and remain in their wet clothes all the long cold nights fishing, with the result that the strongest and most robust constitutions quickly succumb; whether he is aware that Sir Thomas Brady in March last year visited these places, and strongly recommended the erection of boatslips; and whether,

having regard to the necessity that exists for the construction of these works, the Government intend to carry into effect the prayer of the memorialists?

MR. JACKSON: The replies to the inquiries in the first and third paragraphs are in the affirmative. There are no funds at the disposal of the Irish Government which would enable the prayer of the memorialists to be carried into effect, and the memorialists were so informed.

MR. KILBRIDE: As the Congested Districts Board meet next week, will this matter be brought under their notice?

MR. JACKSON: I will bring the matter before that Board.

CONGESTED DISTRICTS.

MR. JORDAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what decision have the Board for the Congested Districts arrived at in reference to the memorials and resolutions from various localities in West Clare which some time since were referred to them?

MR. JACKSON: The County of Clare does not come within the definition of a Congested Districts County as contained in the 36th section of the Purchase of Land (Ireland) Act, 1891, and there is, therefore, no power to schedule as congested the localities referred to. The applicants have been so informed by the Congested Districts Board.

ENNISKILLEN POST OFFICE.

MR. JORDAN: I beg to ask the Postmaster General if his attention has been called to the state of the post office in Enniskillen; and if he will appoint a competent engineer and inspector to examine and report if the structure, fittings, and conditions are in harmony with the requirements of the town and age?

*SIR J. FERGUSSON: I am assured that the post office at Enniskillen is in all respects suitable as regards structure, fittings, and conditions, and is in harmony with the requirements of the town. Under these circumstances a special examination does not seem to be necessary.

MILITARY HEADQUARTERS, ENNIS-KILLEN.

MR. JORDAN: I beg to ask the Secretary of State for War what are the specific military or other grounds on which the Government have decided to remove headquarters from Enniskillen to Derry; have the Government yet purchased land in Derry on which they contemplate erecting military barracks, or are they only looking for it; if they do obtain ground, will they erect sufficient new accommodation for all the soldiers that may from time to time be stationed in Derry, and will the present old barracks there be disused for military purposes; if the old barracks be still used, will the new erection be for headquarters and the old for the men; and if the Government have been offered ground at Enniskillen on which to erect new barracks much cheaper than they can procure it in Derry?

*MR. E. STANHOPE: It is not desirable to state in detail the military reasons for changing the position of troops; but under all the circumstances of this case the Commander of the Forces in Ireland considered Londonderry in every way a more suitable station than Enniskillen for the headquarters of a battalion. The answer to the second paragraph of the question is, No. The remaining questions are mainly hypothetical, and are dependent on circumstances which have not yet arisen. I am, therefore, unable to answer them.

SCATTERY ISLAND.

MR. JORDAN: I beg to ask the Secretary of State for War if he will state the grounds on which the authorities dismantled the forts on Scattery Island, at the mouth of the Shannon; and if they will not erect new forts west of Kilrush, will they restore the old forts, with modern and efficient armaments, on Scattery?

*MR. E. STANHOPE: I answered the hon. Member's question on the 11th May last year; my answer then being to the effect that the works on Scattery Island were obsolete, and it was not considered necessary to re-construct them in view of far more pressing services.

SCHOOL GRANTS IN IRELAND.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what amount (approximately) out of the school grant for the current year would be applicable to each of the seven objects defined in the Schedule to the Irish Education Bill—namely, augmentation of class salaries of teachers; augmentation of salaries of assistant teachers; capitation grants to schools not having teachers paid by class salaries; bonus to each male assistant teacher of a certain standing and class; corresponding bonus to female assistant teachers; third-class salaries to teachers of small schools; and capitation grant in respect of schools the teachers of which receive salaries or other money payments from the Commissioners of Education?

MR. JACKSON: I shall be much obliged if the hon. Gentleman will put down his question for to-morrow, and I will telegraph for information. I have a certain rough calculation, but I would rather give it as approximately correct.

MR. SEXTON: I would rather receive it in that form, and therefore I will postpone it.

QUEEN'S COLLEGE, BELFAST.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps have been taken to provide the medical students of Queen's College, Belfast, with a Summer Session for dissection?

MR. JACKSON: The President of the Queen's College, Belfast, reports that no application for a Summer Session in anatomy has been made to the authorities of the College, nor, in his opinion, is such a Session necessary.

MR. SEXTON: If the application is made will it be considered?

MR. JACKSON: I do not know that he has any power to consider it. I have told the hon. Member that in his opinion such Session is not necessary.

DR. TANNER: Is the right hon. Gentleman aware that Summer Sessions are quite ordinary?

MR. JACKSON: Yes, Sir; but unnecessary, I understand.

MR. P. O'BRIEN: Arising out of this question I wish to ask your ruling on a point of Order. Two or three days ago I handed a question to the Clerk at the Table addressed to the Chief Secretary, asking him why the authorities of Queen's College, Cork, interfered with the students and refused to allow them to take part in some athletic sports under the rules of the Gaelic Athletic Association, whilst a few days afterwards they were allowed to take part in a football match under Rugby rules. I was informed that the question was not permissible because this House has nothing to do with Queen's College—

MR. SPEAKER: I recollect the question perfectly. I struck it out because I thought it was too utterly trivial to submit to the attention of the House.

MR. P. O'BRIEN: Well, Sir, I shall put the question on the first opportunity.

MR. SPEAKER: Order, order!

THE CASE OF THOMAS BLACK.

MR. JORDAN: I beg to ask the Secretary of State for War whether his attention has been directed to a petition forwarded to Lord Wolseley, and his lordship's reply on the 15th October, 1890, that it had been forwarded to the proper quarter, from an old soldier named Thomas Black, of the 21st Regiment, Royal North British Fusiliers, No. 3,645, who served in the Crimean campaign and engaged in four general battles there, and was one of three who brought Captain Nolan's horse, with the dead officer thereon, into the camp after the historic Charge of the Six Hundred, and who, having been frost-bitten and paralysed before Sebastopol, was discharged from Chatham at sixpence per day pension for one and a half years, at the expiry of which he understood it to be renewed during life; but, on threat of losing his pension, was compelled to re-enter the Service, was drafted to India, and served in the Mutiny, and was then discharged without pension; whether he is aware that Black is now disabled, and an inmate in the Enniskillen Workhouse, County Fermanagh; and whether, taking all the circumstances into consideration, the Depart-

ment will make some provision for this old soldier?

MR. E. STANHOPE: As I stated last year, in reply to a question by the hon. Member for South Donegal, there are special difficulties in the case of Thomas Black. He served in the Crimea for seven months only, and was discharged as unfit for service with a pension of sixpence a day pending recovery. In July, 1857, his health was so well restored that he enlisted in the Royal Artillery, denying altogether his former service. After eleven years' service he was discharged with a bad character.

RAILWAY BRAKES AND RAILWAY ACCIDENTS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the President of the Board of Trade when the following will be distributed—namely, Return by the Railway Companies to the Board of Trade, in pursuance of "The Railway Returns (Continuous Brakes) Act, 1878," for the year ending 31st December, 1891, and General Report to the Board of Trade upon Accidents during the year 1891?

SIR M. HICKS BEACH: The Brakes Return is in the hands of the printer. The General Report to the Board of Trade on Accidents cannot be presented until later in the year, because the figures relating to passenger journeys cannot be prepared before the end of June, and, if the Report were presented now, these figures would have to be estimated, or the comparisons (which are useful) would have to be omitted.

GOLD MINES IN THE UNITED KINGDOM.

MR. PRITCHARD MORGAN: I beg to ask the Chancellor of the Exchequer what number of tons of ore have been treated at the Morgan and Clonga Gold Mines respectively, from the time they last commenced work up to the present time; what is the total value of gold which has been extracted from the ore of such mines respectively; are any other mines in the United Kingdom, other than those referred to, producing gold; how many licences and leases exist at the present time for working gold and silver in the United Kingdom besides the two referred to;

how many of them are at work; and can any reason be ascribed why they are not all at work?

MR. GOSCHEN: For answers to the first and second questions I would refer the hon. Member to the Reports of the Directors of the two mines. As regards the third, fourth, and fifth questions, I must ask for longer notice. The sixth question is too controversial to be answered across the Table of the House.

SEARCHING PEOPLE IN THE STREETS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Royal Irish Constabulary accost persons coming out of public-houses on Sundays who are known to be the friends and relations of the owners of public houses, and insist on putting such persons to the indignity of being searched in the public streets on suspicion of having bottles of drink concealed in their clothes; and whether he will give directions to the police to refrain from a course which may lead to a breach of the peace?

MR. JACKSON: The hon. Member puts the question in such general terms that I cannot undertake to answer it. If he is aware of and will specify any particular case, I shall make the necessary inquiries.

MR. MAC NEILL: Will the right hon. Gentleman permit me to give him information?

MR. JACKSON: If the hon. Member will give me any information either confidentially or otherwise, I shall be obliged.

MR. MAC NEILL: I will treat you confidentially.

LAND PURCHASE IN IRELAND.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Attorney General for Ireland whether, in the case of the death of a tenant purchaser under the recent Land Purchase Acts, intestate, the land passes to the eldest son; and whether Succession Duty is claimed in all cases of administration of probate on the deaths of the new proprietors created under those Acts?

MR. MADDEN: A tenant who purchases the freehold of his holding under

the Land Purchase Acts becomes subject to the ordinary law as regards Death Duties and descent on intestacy. From the latter, however, he is relieved as soon as his ownership is registered under the Local Registration of Title Acts of last year, which assimilates the law of succession to freeholds to that of chattel interests in land in the case of registered tenant purchasers.

GRATUITIES TO WORKMEN ON DISMISSAL FROM GOVERNMENT FACTORIES.

MR. HOZIER (Lanarkshire, S.): On behalf of Mr. FORREST FULTON I beg to ask the Secretary of State for War whether he has considered Section 4 of "The Superannuation Act, 1887," which enables the Treasury to give to workmen discharged on reduction a gratuity after seven years' service; and whether he can hold out any hope that the present practice of confining such gratuities only to men of twelve years' service will be modified in favour of the workmen recently discharged on reduction from Enfield and the Royal Arsenal at Woolwich?

*MR. E. STANHOPE: The clause in the Superannuation Act to which reference is made is clearly permissive in its character, and it rests with the Treasury to lay down the conditions under which any such gratuities may be granted. A rule was accordingly laid down under which the cases of men under twelve years' service were not sent forward. I propose, however, in future to submit to the Treasury to be decided upon their merits all the cases of men of not less than seven years' service who leave the Ordnance Factories under the conditions mentioned in the Act, and this will apply to all men who have recently been discharged on reduction.

ARMY REGULATIONS.

MR. A. O'CONNOR: I beg to ask the Secretary of State for War whether Colonel Anley, of the 69th Foot, has had his command extended on the ground that "the regiment is in a good state of discipline"; whether there is any precedent for extension of command on such a ground;

and will he explain why Colonel Keagh, of the 12th Foot, who was also complimented on the same ground as Colonel Anley, had not his command extended in like manner?

*MR. E. STANHOPE: I am sure the hon. Member will see that this is not a matter which can properly be discussed in Parliament. I may, however, state that Colonel Keagh was ineligible for continuance in his command on account of age.

MR. A. O'CONNOR: Will the right hon. Gentleman be good enough to furnish me with any reference to Regulations or General Orders which recognise as a ground for extending a command that a regiment is in a good state of discipline, and would not a recognition of a principle of that kind debar subordinate officers from promotion?

*MR. E. STANHOPE: I must ask for notice of that question.

MR. A. O'CONNOR: Was there any special reason for consideration in the case to which I have referred?

*MR. E. STANHOPE: No, there was not.

THE TRIAL OF DEEMING.

MR. P. O'BRIEN: I beg to ask the Attorney General whether, in the event of the man Deeming, alias Williams, charged with the murder of his wife at Perth, Western Australia, being found guilty there of the capital offence, he could be then taken to England and tried for the Rainhill murders, with which his name has been associated; is there any precedent; and whether he can cite a case?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I may say that no steps can be taken pending the proceedings in Australia, but in the event of those proceedings resulting in Deeming's discharge, there is power by the Act of Parliament to bring him for trial in this country.

THE TRUCK ACTS.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Attorney General whether, in the absence of any written agreement, an employer has any legal right to deduct from his workpeople the rent of the houses in which they live; and whether such deduction is not a violation of the Truck Acts? I may

be allowed to say that I am not responsible for the appearance of this question on the Paper, because the Attorney General answered it on Tuesday. The hon. Gentleman has, however, asked me to repeat it, and that is why the question appears on the Paper.

SIR R. WEBSTER: After I answered the question the other day, I looked at the last word of the section, and I think there is some doubt whether or not, in the absence of any written agreement, an employer has any legal right to deduct from his workpeople the rent of the houses in which they live. It is by no means clear; but my own opinion at present is that there is a doubt on the subject.

MR. CREMER: I should like to ask on whose authority this question was put down?

MR. SPEAKER: It was obviously carried over from a former day and put down under a misapprehension of the hon. Gentleman's wishes.

INHABITED HOUSE DUTY.

SIR J. M'KENNA (Monaghan, S.): I beg to ask the Attorney General whether an Irish Member of Parliament, who has his usual place of residence in Ireland, and a residence in London only in respect to his Parliamentary duties, is liable to the payment of Inhabited House Duty in respect to such last-mentioned residence; and if there are any, and what, exemptions from such payments; and, if so, under what law or authority?

SIR R. WEBSTER: In answer to the hon. Member, I have to say that Members of Parliament are not exempted under the circumstances mentioned from the payment of Inhabited House Duty, if, in fact, they are in occupation of a house liable to such payment.

THE IRISH LAND COMMISSION.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now say whether he will arrange for the publication of the statistics collected by the Irish Land Commission as to prices, with abstracts and averages?

MR. JACKSON: I have asked the Land Commission to prepare a

summary of the abstracts for presentation to the House.

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when a Sub-Commission under the Land Acts will sit at Lisburn; and whether he is aware that arrangements for purchase are going forward in the neighbourhood, and that the fixing of judicial rents in such cases is a matter of urgent and pressing importance?

MR. JACKSON: The Irish Land Commissioners report that the date of the next Sub-Commission sitting for Lisburn Union has not yet been fixed, but that it will probably be held when the cases listed for the 2nd May next from the Unions of Downpatrick and Newtownards have been disposed of.

THE CATHOLIC CLERGY AND POOR LAW ELECTIONS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, on the recent occasion of the Poor Law Election for the Electoral Division of Annaduff, Carrick-on-Shannon Union, a Roman Catholic clergyman followed the police constable who left the voting papers from house to house, and superintended the filling up of the papers, and whether such action is legal?

MR. JACKSON: The Local Government Board report that they have no knowledge of the circumstances alleged in the question.

ROYAL IRISH CONSTABULARY.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in asking for presentments for extra police for the various counties at the forthcoming Assizes, he will make allowance for the several hundred men which he has admitted the country is now short of the free quota?

MR. JACKSON: I have had the opportunity of making further inquiries on the subject of the allocation of the Royal Irish Constabulary to counties, and I find that wherever it becomes necessary to appoint an extra force to a county, the practice is to forthwith fill up any vacancies in the free quota

of that county, so as to give it its full normal establishment before it becomes liable to the charge for an extra force.

RAILWAY TUNNELS.

MR. DUNCAN (Barrow-in-Furness): I beg to ask the President of the Board of Trade whether he would be willing to cause a Return to be made showing the number of tunnels on the lines of the several Railway Companies in the United Kingdom exceeding the length of 20 yards, in which no refuge in the wall of the arch or other contrivance is provided for the protection of men working in the tunnels from the danger of passing trains?

*SIR M. HICKS BEACH: I do not think that the Return referred to would afford any useful information. It has been a requirement of the Board of Trade for 30 years that every tunnel on new lines submitted for inspection should be provided with refuges such as the hon. Member mentions. If the hon. Member has in his mind any special railway or tunnel about which he desires information, I shall be happy to procure it for him.

MAIL SERVICES.

DR. TANNER: I beg to ask the First Lord of the Treasury whether he will assent to the Motion for a Return as to mail services which stands on to-day's Paper?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): There is no correspondence which could with advantage to the public service be laid on the Table in the form of a Return.

ANNUAL LEAVE IN THE CUSTOMS DEPARTMENT.

MR. KELLY (Camberwell, N.): I beg to ask the First Lord of the Treasury whether he is aware that, with respect to annual leave, the second division clerks of ten years' service and upwards in the Customs Department stand at a considerable disadvantage as compared with others of the same class in other public departments, with the exception of those in the Treasury and the Charity Commission; and whether there is any reason why a uniformity of prac-

Mr. Jackson

tice in this matter should not prevail throughout the whole Civil Service.

MR. A. J. BALFOUR: No, Sir; I am not aware of the alleged disadvantage. The second division clerks of the Customs Department who have more than ten years' service enjoy the maximum annual leave allowed by the Order in Council of the 21st March, 1890. Departments have no power to vary the terms of that Order.

THE MAWDDWY RAILWAY COMPANY.

MR. T. E. ELLIS (Merionethshire): I beg to ask the President of the Board of Trade whether he is aware that the Mawddwy Railway Company has issued a notice to suspend the whole traffic for an indefinite time, on the allegation that extensive repairs are required; whether he is aware that this suspension will cause the stoppage of four slate quarries, and throw a considerable number of men out of employment; and whether he will inquire whether the repairs are such as to necessitate this serious loss to the locality?

*SIR M. HICKS BEACH: I have been in communication with the Railway Company since notice of the hon. Member's question has appeared. I am informed that the stoppage is brought about in consequence of the unsafe condition of the Cemmes River bridge, that the Company have no funds out of which to pay for the necessary repairs, and that the only way of meeting the expenditure is by loan, to be repaid by a special rate of 1s. 3d. a ton. It is not obligatory on traders to agree to such special rate, nor is it obligatory on the Company to continue to work the line.

PENSIONS OF RURAL POSTMEN.

MR. P. O'BRIEN: I beg to ask the Postmaster General whether there is a pension scale for rural postmen in Ireland; what is the age, number of years' service, and pension on retirement; and what pension is a man entitled to who has given 35 years' service, and whose wages are now 17s. per week?

*SIR J. FERGUSSON: Rural postmen, like other Civil Servants, come under the provisions of the Superannuation

Act, 1859. Except in case of infirmity, mental or bodily, no one can be pensioned under the age of 60. In that case the number of years' service regulates the pension. For 35 years' service at 17s. a week it would be £25 17s. 0d., being one-sixtieth of his pay for each year of service.

IRISH LANDED PROPRIETORS.

MR. J. MORLEY (Newcastle-upon-Tyne): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay upon the Table a Return of the number of landed proprietors in Ireland owning more than 100 acres, classified according to residence, and showing the extent and value of the property held by each class, in the same form as the Return ordered and printed in 1872?

MR. JACKSON: I have no objection to give the Return which the right hon. Gentleman asks for. I think it will probably take some time to prepare, and I suppose it will follow the precise form of the Return ordered and printed in 1872.

THE COLOUR VISION COMMITTEE.

SIR H. ROSCOE (Manchester, S.): I beg to ask the President of the Board of Trade whether he can state when the Report of the Colour Vision Committee, appointed at his request by the Royal Society, will be laid upon the Table of the House?

SIR M. HICKS BEACH: I have communicated with the Chairman of the Colour Vision Committee to which the hon. Member refers, and I understand that he expects that the Committee will report to the Royal Society at the end of the present month. So soon as the Report reaches me, I shall lose no time in laying it upon the Table of the House.

THE MERCHANT SHIPPING AMENDMENT BILL.

COLONEL HILL (Bristol, S.): I beg to ask the President of the Board of Trade whether it has been correctly reported that upon the occasion of a recent deputation to him respecting the Merchant Shipping Amendment Bill, 1892, an assertion was made that there

was no doubt in "many cases, as had been proved in many Commissions and Committees," the food supplied in certain merchant vessels was of the "worst possible description"; and whether this statement is correct; and, if so, whether he will give the dates of the many Commissions and Committees?

*SIR M. HICKS BEACH: I believe the assertion quoted in my hon. Friend's question was made at the deputation referred to, but, as I did not make it myself, I cannot say what Commissions and Committees were referred to. Returns on the subject of the health of the crews were presented to the House in 1876, 1879, and 1883. Since then there has been a great decrease in the number of outbreaks of scurvy, the number reported diminishing from 99 in 1881 to 13 in 1891. I am glad also to add that these outbreaks have diminished in severity as well as in number.

"COUNTS OUT" ON TUESDAYS AND FRIDAYS.

Mr. McLAREN (Cheshire, Crewe): I beg to ask the First Lord of the Treasury whether, in view of the "Counts Out" which frequently take place on Tuesdays and Fridays when Private Members' Motions are down for discussion, he will propose to alter the Standing Orders affecting those days, so that Private Members' Bills may take precedence of Notices of Motions on Tuesdays, and so that on Fridays more than one Motion can be brought forward, and a division taken on each?

Mr. A. J. BALFOUR: Without expressing any opinion on the advantage or disadvantage likely to arise from the suggested alteration of the Rules, I do not think this is a convenient moment for proposing an alteration in the Standing Orders of the House.

THE CAVAN UNION.

Mr. KNOX: I beg to ask the Secretary to the Treasury whether he can now say what decision has been arrived at in the matter of the proposal to indemnify the Cavan Union against the loss in the case of "Ryan v.

Colonel Hill

the Union," caused by the action of the Government Inspector?

SIR JOHN GORST: No decision has yet been arrived at.

THE CHICAGO EXHIBITION.

SIR T. ESMONDE: I beg to ask the Attorney General when he will be in a position to state whether the increased grant for the Chicago Exhibition has been sanctioned; and, in that event, what portion of it will be devoted to Ireland? The hon. Baronet also asked the Attorney General if he will state whether inquiries have been made in Ireland with a view to obtaining evidence of the desire of Irish exhibitors to be separately represented at the Chicago Exhibition; and, if so, what has been the result of these inquiries; and if the Government will consent to hand over Ireland's proportion of the grant allowed for the expenses of the Chicago Exhibition Commission to a committee of Irishmen, who will be accepted by the Irish public as representative of Irish industry, and who will be empowered to take whatever steps may be necessary for the separate representation of Irish industry at the World's Fair?

SIR R. WEBSTER: I am not yet in a position to state whether an increased grant has been sanctioned for the Chicago Exhibition. I have already informed the hon. Baronet that the Commission are consulting Irish exhibitors as to the best method of dealing with their exhibits at the Exhibition. The Commission have no power, and certainly would not be entitled, to hand over any portion of the grant to a committee, as suggested by the hon. Baronet's last question.

IRISH FISHING BOATS.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact, as announced by the Rev. Mr. Green, Fishery Commissioner, in his recent communication to the Congested Districts Board, "that two fishing boats have been built in the Isle of Man for the Board"; whether these boats could have been as well built for the Board at Passage Docks, Carrigaloe,

Cork Harbour, or at Arklow; whether he is aware that several fishing boats recently built at the two first-mentioned places, assisted by public subscription raised in Cork, are now considered the fastest, most handy, and best sea-going fishing smacks in the Kinsale fishing fleet, which numbers hundreds, including Manx, Cornish, and French vessels; and whether, if more fishing vessels are to be built for the Board, a further attempt will be made to encourage Irish industry by employing the Cork Harbour and Arklow shipwrights, to relieve Irish wants by Irish labour?

MR. JACKSON: The two fishing boats referred to were built not for the Congested Districts Board, but for Miss Mansfield. They were obtained as a special type for Connemara unskilled crews. When others of this type are required the Inspector is of opinion that it would be possible to obtain them not only in Cork and Arklow, but also in the County Galway.

MARRIAGES OF NONCONFORMISTS.

MR. LEGH (Lancashire, S.W., Newton): I beg to ask the Attorney General if there is any probability of his introducing a Bill dealing with the attendance of Registrars at the marriages of Nonconformists?

SIR R. WEBSTER: I do not propose to deal with this subject during the present Session. I should be glad if I could see my way to deal with the matter and simplify the law on the subject.

ROYAL COMMISSION ON MINING ROYALTIES.

MR. PAULTON (Durham, Bishop Auckland): I beg to ask the First Lord of the Treasury if he can give any information as to when the Royal Commission on Mining Royalties expect to issue their Report?

MR. A. J. BALFOUR: I have inquired into this matter, and I learn from the Secretary to the Commission that he cannot fix any date for certain upon which they expect to issue their Report; but it is not likely to be issued before July.

MR. PAULTON: Can the right hon. Gentleman say whether the Commission will take any further evidence?

MR. A. J. BALFOUR: I have not been able to make inquiries on that subject, but I shall be very glad to do so if the hon. Gentleman desires it.

DEVONPORT DOCKYARD.

MR. CONYBEARE: I wish to ask the First Lord of the Admiralty a question of which I have given him private notice—namely, whether it is a fact that the Civil Adviser of the Devonport Dockyard, Mr. Wildish, has issued a notice or circular, dated 23rd March, which states—

“23rd March, 1892.

Please arrange that in future no stoppage of machinery for cleaning takes place on Saturday, the ordinary work of the yard going on till bell-ringing as on other days. Should experience show that this is prejudicial to the Service in any way, a Report is to be forwarded. This will, of course, not relieve the officers and men of responsibility for keeping the machinery thoroughly effective. Any necessary cleaning, &c., should be done from time to time as required.”

I wish to ask him whether it is not a fact that the rule that has hitherto been in force has been that all employees should have half an hour or three-quarters of an hour for the purpose of carrying out the cleaning, and that the machinery should be stopped a given time for that purpose; whether such rule is not obligatory under the provisions of the Factory Acts, which provide that no machinery shall be cleaned whilst working; and whether, if it is found that the circular in question is a breach of the Factory Acts, it will be at once withdrawn?

LORD G. HAMILTON: The rule in question is one which the Admiralty Superintendent had power to issue, and, so far as I know, it does not contravene any portion of the Factory Acts, and, therefore, I do not propose to interfere in the matter.

MR. CONYBEARE: Will the noble Lord state whether he will cause inquiry to be made on the point whether it is a breach of the Factory Acts, and whether I am to understand that Her Majesty's Dockyard authorities are above the Factory Acts themselves?

[No reply was given.]

THE PRIVATE BILL PROCEDURE (SCOTLAND) BILL.

MR. J. C. BOLTON (Stirling): May I ask the First Lord of the Treasury if he can state whether the Second Reading of the Private Bill Procedure (Scotland) Bill will be taken before or after Easter?

MR. A. J. BALFOUR: I see no prospect of its being taken before Easter.

ORDERS OF THE DAY.

RAILWAY SERVANTS (HOURS OF LABOUR)—BREACH OF PRIVILEGE.

Order read, for the attendance of Mr. John William Maclure, a Member of this House, and of Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher.

*MR. SPEAKER: Is it your pleasure that these gentlemen be called in? I have to ask, first, whether the hon. Gentleman the Member for the Stretford Division of South East Lancashire is in his place?

MR. JOHN WILLIAM MACLURE rose in his place at the Front Bench below the Gangway on the Ministerial side of the House amidst cries of "Order, order!" bowed to the Chair, and remained standing.

*MR. SPEAKER: Order, order! Will the Serjeant-at-Arms see that Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher do appear at the Bar.

The Bar being then drawn, the Serjeant-at-Arms escorted thereto the three gentlemen named, who made their obeisance to the Chair.

*(5.24.) MR. SPEAKER: Order, order! Mr. John William Maclure, you have been ordered to attend in your place, and you, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher, have been summoned to appear at the Bar of this House in consequence of a Special Report made by a Committee of this House. That Committee was appointed to inquire into the hours of labour of railway servants, and in the course of their in-

quiry it came to their knowledge that allegations were made that certain persons had been reduced or dismissed from the service of the Company in consequence of the evidence they had given before the Committee. The other cases were dismissed by the Committee, after inquiry, as being unfounded; but in the case of one person, John Hood, the Committee found that he was dismissed by the Company mainly in consequence of charges arising out of the evidence given by him before the Committee. You, Mr. John Conacher, laid the evidence (so the Committee have found) before the Directors of the Company, and you, the Directors of the Company who are now present (so the Committee have found), when John Hood asked for a re-hearing of the case, called him to account, and you censured him for the evidence which he gave before the Committee, in a manner calculated to deter other railway servants from giving evidence before a Committee of this House. I believe it is the wish of the House to hear anything that any of you may now say in answer to these findings of the Committee.

(5.25.) MR. JOHN WILLIAM MACLURE (Lancashire, S.E., Stretford): Mr. Speaker, Sir, on behalf of my friends as well as myself, I wish to say that you were good enough on Tuesday, in answer to the hon. Member for West Newington (Mr. Radcliffe Cooke), to say that the House would like to hear us in order that we might advance anything in excuse or mitigation of the action which is charged against us by the Select Committee. I am reading your own words, Mr. Speaker. Availing myself of the indulgence of the House, I beg to state that in taking the course referred to we acted entirely in what we believed to be the discharge of our duties as Trustees of the Company and for the general interests of the public. We had certainly not at any time the slightest intention of deterring any railway servants from giving evidence before your Committee, and should we, by the course we adopted, have unintentionally infringed any Rules or Privileges of this House, we ask this honourable House to accept the fullest expression of our unqualified

regret. I may say, in addition to that, that I very much regret that I had not the privilege of giving my evidence before the Committee myself. I had applied to give my evidence, and I hope the House will accept our apology: it is tendered to the House in the fullest manner.

*MR. SPEAKER: Has any other gentleman anything to say to the House?

(5.26.) MR. JAMES FREDERICK BUCKLEY: Mr. Speaker, I beg to say that I fully concur in what has fallen from my colleague the hon. Member for the Stretford Division of South East Lancashire. I thank you.

*MR. SPEAKER: You will now withdraw from the Bar.

MR. CONYBEARE (Cornwall, Camborne): Mr. Speaker, is it competent for me to ask one question before these gentlemen withdraw—a question which, if necessary, may be put to them by you from the Chair—whether they would be disposed to re-instate the man whom they dismissed?

*MR. SPEAKER: Order, order! That is quite outside the present subject which the House has to consider. You will now, gentlemen, withdraw from the Bar.

The gentlemen at the Bar then withdrew. Mr. Maclure also left the House.

MR. CREMER (Shoreditch, Haggerston): May I ask a question?

*MR. SPEAKER: Order, order! Sir M. Hicks Beach.

*(5.27.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): In the observations I shall address to the House I shall endeavour to confine myself within what appear to me to be the necessary limits of the matter which has come before us to-day. It is undoubtedly an important question of the breach of the Privileges of this House, and I am sure the House will approach it in a spirit of judicial gravity; not desiring to deal vindictively with those who have offended against its Privileges; but determined, on the other hand, to maintain the Privileges

which are essential not only in the interests of this House, but in the interests of the whole community. Now, Sir, the pith of the Report of the Committee is to be found, as you have stated to the House, in two sentences of the same paragraph. These sentences differ widely in their purport. The first sentence is as follows:—

“That John Hood was dismissed from the service of the Cambrian Railway Company mainly in consequence of charges arising out of the evidence given by him before the Select Committee on the Hours of Labour of Railway Servants.”

Sir, I believe it has been amply established by a succession of long-continued precedents that any molestation, threats, or legal proceedings against any witness examined before this House, or before any Committee of this House, in consequence of the evidence given by him, is a distinct breach of our Privileges; and I need hardly say that the dismissal of a servant must necessarily be included in the term “molestation.” But I wish to call the attention of the House to a matter which is not solely a verbal difference. I have said it is an undoubted breach of the Privileges of this House that a witness should be injured in consequence of his evidence. But the Committee have not reported that this has occurred. The Committee have reported that this man was dismissed, not in consequence of his evidence, but mainly in consequence of charges arising out of the evidence given by him; and any hon. Member who looks carefully through the proceedings of the Committee and through the evidence that has been reported to the House will see that this is not a verbal difference alone. I would speak on this subject with great diffidence. There are hon. and right hon. Gentlemen in this House far better qualified than I am to express a view as to what is or what is not a breach of Privilege. But I would venture to express some doubt whether the action of this House in this matter could safely be founded on the dismissal of a witness in consequence of charges arising out of his evidence. The point is one which materially affects this matter. The hon. Member for Stretford and the

persons who have just appeared at the Bar have stated to this House that, in dismissing John Hood, they acted, in their belief, as trustees for their shareholders, and in the interest of the public. Now, Sir, a great deal of evidence, as the House is aware, was given before the Committee by the Chairman and by the Manager of the Company in support of the proposition that Hood's dismissal was necessary in the interests of the Company and of the public, because inquiries which were made as the result of his evidence had disclosed conduct on his part which proved him to be an unworthy servant. Perhaps I may say in passing, as Chairman of the Committee, that if we had understood that the hon. Member for Stretford really desired to have been examined, we should certainly have given him the opportunity. However, much evidence, as I have said, was given on that point. Now, the Committee considered that it was their duty to report to the House what had occurred in this matter with respect to the dismissal of this person, but they did not conceive it to be their duty to decide whether that dismissal could be excused or justified by any argument such as was addressed to them in evidence, and as has just now been addressed to the House; but they did make this very significant addition to their Report. They said they had not

"Deemed it to be part of their duty to express any opinion as to how far the conduct of the said John Hood, and the irregularities disclosed by his evidence, as well as the character of his evidence, were calculated properly to forfeit the confidence of the Directors of the Cambrian Railway Company."

Now, that pointedly called the attention of this House, as judges of this case, to this aspect of the question. I do not propose to ask the House to decide whether or not John Hood was a trustworthy servant of the Cambrian Railway Company. I will not, unless I am forced, express any opinion of my own upon that point, but this I will venture to say—that it is my strong belief that, in dismissing John Hood, the Directors of the Cambrian Company honestly and *bonâ fide* believed that he was not a

trustworthy servant of the Company. Sir, if this House is to censure the Directors of a railway for dismissing a servant in the responsible position of a station master, who, in their opinion, is not a trustworthy servant, in my humble judgment, this House would be simply assuming the responsibility for the conduct of the affairs of that railway. Now I turn, Sir, to the second part, and in my view by far the most important part, of the Report of the Select Committee. The Select Committee reported, in the second place, that the persons who have appeared at the Bar, and the hon. Member for Stretford, called John Hood to account and censured him for the evidence he gave before the Committee in a manner calculated to deter other railway servants from giving evidence before the Committee. Sir, there can be no question that this is a distinct breach of the Privileges of this House. The fact is undoubted, and I would submit that the question for the House to decide with regard to it is really only how it should be dealt with. Now, let me allude to what has been said to the House by the hon. Member for Stretford on his own behalf and on behalf of the persons who have appeared at the Bar. I think it will not be denied that they have made the fullest and most ample apology for what they have done that could have been made by any persons placed in such circumstances. What have they said? They have, in the first place, disclaimed any intention to deter any railway servant from giving any evidence before the Committee. Well, Sir, I should like to add that as a matter of fact no railway servant will be so deterred, for this simple reason, that the Committee consider that they have sufficient evidence of this kind—"Oh!"—before them upon which to base their Report, and do not intend to call any further evidence either from the Railway Companies or their employees on the main question referred to them; and further, Sir, after the way in which that observation has been met, I think it is only just that I, as Chairman of the Committee, should say that the Railway Companies generally ought not to be included in any condemnation that may be passed on the

action of the Directors of the Cambrian Railway Company. More than 30 railway servants last year were called before this Committee. The great majority of them gave evidence directly contrary to the opinions and feelings of the Directors and Managers of the Railways on which they were employed. Scores of railway servants very properly gave information to the secretaries of their societies as to the long hours they work, and other matters connected with their employment. All these matters were given in evidence by the secretaries of those societies, and were subsequently sifted and replied to by the Directors or Managers of the different Railway Companies. Yet, Sir, in only four out of all these cases has there been the slightest allegation of any improper action on the part of Railway Directors or Managers towards the servants who have given evidence before this Committee, and in only one case—that of John Hood—has any improper action been proved. I do not say this as bearing on this particular case, but I think it right to give that testimony with regard to the conduct of the Railway Companies generally. Now, what have the hon. Member for Stretford and the persons who have appeared at the Bar added to the disclaimer I have already quoted? They have expressed their unqualified regret for having unintentionally infringed any of the Rules or Privileges of this House. I repeat, Sir, that I do not think that a more complete apology could be offered to this House. But, Sir, I am not suggesting to the House that on the ground of this disclaimer or on the ground of this apology the breach of our Privileges which has been committed should be passed over without further notice. I do feel that we are bound, and especially in a case of this kind, to maintain this important Privilege for the benefit of the country. And why do I say especially in a case of this kind? The evidence in this particular inquiry, Sir, is closed; but it may be the pioneer of many similar inquiries into the relations between employers and employed in other great industries of the country; and it is obviously essential to the proper conduct of any such

inquiries that those who are employed should be satisfied that the rights and Privileges of this House will be maintained with respect to any evidence they may give. Therefore, Sir, it appears to me that while, for the reasons I have ventured to place before the House, this is not a case for punishment, yet it is a case requiring the notice of the House in such a way as shall be a warning for the future; and, therefore, Sir, I conclude by proposing the Resolution which I will now read.

Motion made, and Question proposed,

"That this House, while recognising that Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher have disclaimed any intention to deter any railway servant from giving evidence before its Committee, and have expressed their unqualified regret for having unintentionally infringed any of its Rules and Privileges, is of opinion that the said Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher have committed a breach of the Privileges of this House, in their action towards John Hood, and that they be called in and admonished by Mr. Speaker for the breach of Privilege that they have committed."—(*Sir Michael Hicks Beach.*)

(5.43.) MR. T. P. O'CONNOR (Liverpool, Scotland): I wish to move an Amendment. I think the House has heard, and that the country will read, with profound dissatisfaction the speech which the right hon. Gentleman has just delivered, and that both will universally condemn the Motion with which his speech was concluded. What, Mr. Speaker, are the facts of the case? The right hon. Gentleman said that the hon. Member for Stretford and his colleagues have made a full and ample apology. I listened with great care and attention to what the hon. Member for Stretford said, and although I do not wish to say anything unkind of the hon. Gentleman, I must say that in my opinion his speech, instead of being one of regret, was an aggravation of the offence which has been committed. ("Oh, oh!") Hon. Members should hear me before pronouncing judgment. What did the speech of the Directors amount to? It amounted to this—that they committed the offence, that they mean to persevere in the offence, and that they

intend to maintain the punishment which they have inflicted upon this man because of his evidence and the talk about the charges arising out of it—that while they intend to maintain the punishment of this man, they hope to escape from their own punishment by the contemptible lip service of an apology in words. The right hon. Gentleman has told us what the Directors have said. We want to know what they are going to do. Now the right hon. Gentleman showed the necessity of preserving the Privilege of the House in such a matter as this, but he should have gone a good deal further. What is this House but a Grand Court of Appeal to the nation to which every afflicted man in the country should have the right of full and unrestrained appeal? And how can that full and unrestrained right of appeal be secured if every person gives his evidence with the halter of dismissal about his neck? The right hon. Gentleman has disclaimed any intention on the part of the Directors to interfere with the Privileges of the House; but it is to acts that we must look and not to words. A disclaimer on their part, and a perseverance in the offence is a mere empty insult to this House. It is clear that the hon. Member for Stretford and his fellow Directors have no intention to re-instate this man. The right hon. Gentleman says that workmen must be protected in giving evidence before Committees of this House. What protection are they going to get? The successors and colleagues of John Hood are reminded that if they give evidence the Directors will get a mere verbal condemnation and remonstrance from this House; but that John Hood will be left to starve. So that the whole point comes to this: that if the Directors get a formal and academic condemnation from this House they are at liberty to dismiss any man who gives evidence before any Committee of this House. Now, I think the House has heard the right hon. Gentleman's statement with dissatisfaction, and I propose to add words to the original Resolution.

Amendment proposed,

"At the end of the Question, to add the words 'and this House will not deem that the said Directors and Manager of the Cambrian

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Railway have purged their contempt until they have re-instated John Hood in the position which he occupied before giving his evidence before this House, or otherwise compensated him."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there added."

(5.52.) *MR. W. S. B. McLAREN* (Cheshire, Crewe): I desire to move the substitution of the word "censure" for "admonish" in the original Motion, and if it is possible I think it should come before the Amendment which has been moved by the hon. Member for the Scotland Division of Liverpool.

(5.54.) *SIR G. TREVELYAN* (Glasgow, Bridgeton): The proposition which the right hon. Gentleman has laid before the House is one which, if the House were to pass it unanimously, would at any rate vindicate the dignity of the House, and would clearly express its opinion with regard to these transactions; but, if the House will allow me, I will say a few words, with great respect, as to the manner in which the right hon. Gentleman has proposed that Resolution. I say with great respect, because the Committee has been presided over by the right hon. Gentleman with the greatest industry, with the greatest courtesy, and with the greatest fairness. I am bound, however, to say that I do not think the speech in which he introduced this Motion was adequate to the occasion—I am speaking now entirely of the matter, because the right hon. Gentleman's speeches are always in every way adequate both in manner and ability. Right hon. and hon. Members who listened to that speech would almost wonder why they were to pronounce a censure upon the Directors. Now, Sir, the right hon. Gentleman insisted very much on the first part of the Resolution—with regard to the dismissal of Mr. Hood from causes arising out of the evidence, and I differ from him in the conclusions which he drew. I also think that he did not insist enough on the last part—as to the censure which was directed against Mr. John Hood by the Directors. I will detain the House for only a short time by stating the plain story of the case from the outset. The right hon. Gentleman was quite correct in saying

that the Cambrian Railway stands in a very different position to any other railway, and that the Cambrian Directors are in a different position to that of any other Railway Directors in the Kingdom; but most serious and gross revelations came to light with regard to the conduct of the Cambrian Railway Company in arranging the business hours of their men; and I would inform hon. Members, without making wearisome quotations from the evidence, that it was proved that for years several of their men had worked 36 hours at a stretch in the arduous business of signalling. That was not all—

MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead): Mr. Speaker, I rise to Order. I wish to ask you whether the right hon. Gentleman is in Order in anticipating the Report of the Committee as to the hours of labour, which they were not able to present?

***MR. SPEAKER:** The right hon. Gentleman is in Order, so far as it bears on the case, in calling attention to anything that was placed before the Committee. The right hon. Gentleman is perfectly in Order in referring to it up to the day on which this gentleman was dismissed from his service.

MR. A. E. GATHORNE-HARDY: With great respect, Mr. Speaker, I rise again, to ask whether the right hon. Gentleman is in Order in anticipating the decision of the Committee with regard to the question of the hours of labour in the case of the Cambrian or any other railway?

***MR. SPEAKER:** The right hon. Gentleman would not be in Order in anticipating the ultimate decision of the Committee as to the question of the hours of labour. That is not the Question before the House.

***SIR G. TREVELYAN:** I shall confine myself strictly to matters which have already been reported to the House. Among other servants who were offered work was a young man of the name of Humphreys, and one of the gentlemen who was lately at the Bar of this House, Mr. Conacher, admits that Humphreys was worked regularly from 5.50 a.m. to 10 p.m. daily. Now this is of the essence of the whole question. These extreme

hours were brought to the notice of the Committee by a person of the name of Bather. This person is charged by the Directors with being hostile to them for certain reasons of his own; and the point I now wish to put before the House is that it was on account of this man's action, or supposed connection with Mr. Hood, that the gentleman in the position of Chairman of the Company got a feeling about him which he could not suppress when giving evidence before the Committee, and I believe it was one of the main reasons which led to his dismissal. Now I will read to the House an extract from the evidence of Mr. Buckley, the Chairman of the Company himself. The Chairman of the Committee asked Mr. Buckley (page 65)—

“Did you dismiss Mr. Hood solely on account of the pay-sheet matter, coupled with other matters of which you have told the Committee?”—“Yes, coupled with another matter, to which I do not desire to attach too much importance. It was not at all to be expected from a trusted servant of the Company. This man is not in the position of an ordinary servant or workman. He is an agent who has to take charge of and regulate the discipline amongst a number of men at his station. Therefore we looked upon him as our agent, and as being a person of trust. Now, I do not think that this letter which I have in my hand should have been written by a man in whom we put implicit confidence; for this reason—that it showed that he had neglected to report to his Directors the advances which had been made to him by a man named Bather, who gave evidence here, and who was notoriously an enemy of the Directors, because they had refused to give him a free pass over their line.”

Mr. Hood received a letter from Mr. Bather asking him about Humphreys, that is the young man who worked from 5.50 in the morning until 10 o'clock at night. Mr. Hood does not forward that letter, as he ought to have done, to his superiors; he says, “I threw it away, as I did not want to have anything to do with the matter.” There is the letter, and I will read it to the House.

“June 3, 1891.—Memorandum from Montgomery Station to J. Conacher, Esq., Euston Hotel, London. James Humphreys, late porter, Ellesmere. I return the statement to you with my remarks. Mr. Bather wrote to me a note asking me to give him information about the accident, but I did not reply to it, neither have I spoken to him about it. I threw the note away, as I did not want to have anything to do with the matter. I have thought the

matter very carefully over and tried my best to remember in order to give as correct information as I could to enable you to meet the case."

Now, Sir, what does all this come to? Here are hours of labour of the most remarkable sort worked by railway men in the employment of a certain Company. The Committee which the House of Commons appointed to inquire into the long hours of railway servants would not have heard of the long hours worked upon this railway but for the fact that Mr. Bather, who lives on the spot, got up the case. I do not enter upon the question as to whether he had any quarrel with the Company, but we all know that we should not have known of these long hours being worked if Mr. Bather had not got up the case of these men and got several of them to give evidence. That is what Mr. Bather's enmity to the Company consists of. For my own part I am not sure it was enmity, for the Directors say that if they had only known that these long hours were being worked they would have put a stop to them, and I think, therefore, that Mr. Bather was not in this matter an enemy of the Company. Then you have a poor stationmaster, earning £70 a year, a man who by education is hardly above a working man, and because this man gets a letter from Bather and does not at once send it to his superiors, in the eyes of the Chairman of the Company he is disloyal, and it is alleged as a grave reason for dismissing him. Now, Sir, I say if this House wishes its Committees to arrive at any important evidence with regard to anything that concerns the working man it can only arrive at it by the evidence of the people who are concerned, and I say it will not be any disloyalty for a man to come forward and say he was employed for 30 hours on a stretch; and still less is it disloyalty for a man receiving a letter and being asked to assist in throwing light on this question and not at once sending it to his employers. That was the animus with which the Chairman of the Company was prepared to proceed against Mr. Hood. But, Sir, I want the House of Commons for one moment—for I do not believe the House is fully aware of it—to see what

Hood's evidence was. Mr. Conacher, the Manager, came up and gave evidence before the Committee on the Hours of Railway Servants; he gave evidence on various matters, and in the course of this evidence he made some by-the-way or incidental statements; and one of these statements was that Mr. Hood had not been punished for signing a memorial asking that a porter might not be dismissed. Afterwards he repeated this statement, and still later on he appears to have somewhat gone back from it. But there it was in black and white before the Committee. Mr. Hood was one of those men—you may say he was vain, you may say he was sensitive—but he felt very much indeed that a statement which he thought derogatory to him should be in black and white before the House, so he asked to be allowed to come up and to give evidence. He simply came up and contradicted the statement which Mr. Conacher made about him, and stated one or two things to which I will refer before sitting down. But so little did the Committee think his evidence of any importance that it may be fairly said he was not cross-examined at all. He was allowed to go away after making his statement, and the Committee gave little or no thought to his evidence. That was not the case with Mr. Conacher and the Directors. On the day before Hood went up to give evidence, which Mr. Conacher knew would be of a personal character about himself, and the quarrel between this powerful and leading servant who had the ear of the Directors and this roadside stationmaster—when, I say, Mr. Conacher knew that Hood was going up to give evidence before a House of Commons Committee, what did Mr. Conacher do? He wrote to a neighbouring Railway Company in order to get up a case of neglect of duty against Mr. Hood, a case of which, up to that time, they had taken very little notice, and a case which already was two years old. Mr. Hood left the Committee, he went back to his employment, and I venture to say there was not a Member of the Committee who gave his evidence another thought. We regarded him simply as an uneducated man who had been irritated about

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certain things said about him, and we only felt that we gave up time we could ill-afford to waste in order to allow him to contradict them. It was otherwise with the Directors and Mr. Conacher. The Directors and Mr. Conacher not many days afterwards dismissed Mr. Hood. They dismissed him arbitrarily and summarily, and without giving him any reason whatever. I wish to leave certain topics for other hon. Gentlemen to deal with, but that is the question, as far as the actual dismissal was concerned, that I wish to insist on. Now I come to the very grave question of the censure. Mr. Hood applied to the Directors to be allowed to state his case, and the Directors had a meeting on the 30th September and gave him a hearing at Crewe. The gentlemen who were there present were those whom the House saw at the Bar—the hon. Member for Stretford, Mr. Hawkins and Mr. Conacher. I would like to ask whether hon. Members have read an account of that interview. All I can say is that they will find that it is a most characteristic, a most interesting, and in some respects a most amusing proceeding; but it is a proceeding of which the very gravest notice ought to be taken by this House; and I do not think the right hon. Gentleman insisted sufficiently upon what passed. Now, Sir, on page 36 of the Special Report particulars will be found. This man, half-educated, a man little above the status of a porter or an engine driver, is called into the presence of four gentlemen who had been, if they were not then, his employers, and there he stood among them, and what was the course of the procedure? Did they tell him why he was dismissed? No, they did not even tell him that. All they said was that he must explain and justify his evidence. He began to justify his evidence as such a man would do, giving an opening to them of which they were not slow to take advantage. Now, Sir, let hon. Members put themselves in that room and consider the sort of things said to this man by his employers; let them remember that they were talking so loudly and volubly that the shorthand writer said sometimes three or four of them were

talking at one time. The Chairman said to Hood—

"It appears that the whole object you had was to screen the porter Humphreys, who was said to have been 44 hours on duty, to represent that the sleepers on the permanent way were rotten, and to explain the accident as due to the defective state of the permanent way."

Another one of the Directors at the bottom of page 38 says—

"Do you believe Stokes, and have you told the Committee a lie or unwittingly said what was untrue."

On the next page one of the Directors said—

"It is to screen Mr. Hood himself from a gross neglect of duty, and he had better say frankly that the replies to the Select Committee, giving the thing in the way which he did, were false?"

This is the style in which these men were talking. There was not a word of kindness towards Hood, not a word said to put him at his ease. They all sat round saying these things in a manner that would have confused and disconcerted any one who had the best of cases. But, Sir, out of this meeting what was the result? There were three charges brought against Hood by the Directors in the course of his evidence, and on two of these charges I do not hesitate to say they laid themselves open to the censure of this House. These charges were nothing less than mere abuse on account of the course he took before the Committee. The first I will take was a mare's nest. It was a ridiculous charge that Hood had applied to the Clerk of our Committee for his railway fare home. There was no charge that he wanted to get two railway fares, or wanted more than his share of public or railway money; but the charge was that by making this application he wished to give our Committee the idea that he was not allowed to give evidence and would not get his fare from the Company. That was brought against him as a serious charge by the Directors. They said—"You went to the Committee Clerk to get money there by trying to show you could not get the money from Mr. Conacher." I need hardly say to the House that that produced no effect whatever on the minds of the

Committee. The next charge of the Directors made against this man was that he had said that on the occasion of a certain accident the sleepers on the line were rotten, and that the permanent way was defective. But it came out, from the evidence of Mr. Conacher himself, that at the time the accident took place this man had said these very words to Conacher himself. The idea was in his mind four years before the accident. When he came before the Committee the idea recurred to him; he said it quite incidentally, and there was little notice taken of it by any Member of the Committee. If you are to have witnesses dismissed for giving incidentally their views of a transaction four years before, which has nothing to do with these gross charges brought against the Cambrian Railway Company, you will never get working men to give evidence at all. Respecting the third charge, and the serious one, it came out in the course of time that Hood had confessed to charging night duty for one man, when, according to Conacher and the Directors, another man had been likewise doing the work. There is great confusion on this point, but one thing is clear, that Hood did not know this third man, Stokes, who was alleged by the Directors to have done the work that night, to have been in the station at all. What he did say was that Humphreys was working 44 hours on a stretch, and that he did allow a certain man, one Robinson, to stay up with him, that he returned this other man as the person who had done the work, whereas he was merely a companion of the other man. Now, Sir, I say here you have a serious charge against Mr. Hood. Here is a Company in which—and if hon. Gentlemen choose I will read Mr. Conacher's answers to my questions—men have been kept working 36 hours on end year after year, and the fact kept from the knowledge of the Manager and the Directors. That could only be done by a wholesale system of deception on the part of the stationmasters and the men below them. It is certain that a very loose method of making reports must have existed when such matters could go on without discovery at head-

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quarters. Yet, at the end of all these years, the Directors fix the blame on this one unfortunate man who has come to give evidence, and they place at his door the blame for this system of concealment, which has been going on for at least five or six years. I say, first of all, that while the Committee were right in saying that this man was dismissed mainly for charges arising out of his evidence, those charges were trumpery, and he ought not to have been dismissed for them. There were probably other grave reasons for this course, and perhaps the gravest of all was that, in the words of the Chairman, Hood was an enemy of the Company; but, quite apart from his dismissal, Hood was censured and bullied by the Directors in a manner that, to say the least of it, was most unfortunate, and treated in a way that will in future deter any man liable to such treatment from giving evidence before a Parliamentary Committee, or giving evidence about his position at all. However, Sir, I must say, on different grounds from those given by the right hon. Gentleman the Chairman of the Committee, I should consider that the dignity of this House would be vindicated by the Resolution which he has moved, and all the more because I do not believe in using our power of imprisonment vindictively. I do not think in the long run it would conduce to the dignity of the House to do so. The speech of the right hon. Gentleman should not remain, and will not remain, unanswered; but I am afraid that the unanimity and gravity of the animadversion of the House on the conduct of the Directors has been sorely spoiled by the line which, in his speech to-night, the right hon. Gentleman has taken.

*(5.24.) MR. MILVAIN (Durham): I think, Sir, that in the interests of Hood it would have been better if the Motion made by the Chairman of the Committee had been accepted by the House rather than that we should be obliged to go into the evidence to ascertain whether the Directors of the Company were or were not justified, from causes arising out of the evidence, in dismissing Hood. I think, Sir, on that point it is an admitted principle that if a servant conducts himself in a way which is inconsistent with the

faithful discharge of his duty, his misconduct justifies his immediate dismissal. It is sufficient, in the eye of the law, if it is conduct which is prejudicial or is likely to be prejudicial to the interests or the reputation of the master, and the master would be justified, not only if he discovered it at the time but if he did not discover it until afterwards, in dismissing that servant. The right hon. Gentleman who last spoke alluded to the hours of labour on the Cambrian Railway as disclosed by the witness Bather. It was evidence which I must admit startled every Member of the Committee, and I was one who demanded a full inquiry. We were successful in getting many witnesses, including many servants of the Cambrian Railway, and it did not take long to see that the hours they were working some time ago were excessive. But that was before this Committee of Inquiry was appointed, and every single individual servant deposed to the fact that now he was perfectly satisfied with his hours of labour. I am surprised that a right hon. Gentleman in the position of the Member for Bridgeton, whose words and expressions ought to have weight in this House and in the country, should mislead the House as he has done. Not one servant only, but every servant of the Railway Company who was called before the Committee was asked by myself and by others as to whether he was satisfied now with his hours of labour, and in every case the answer was that he was perfectly satisfied. A more healthy and satisfactory type of servants I do not think any Committee ever saw during their long inquiry. Now, Sir, let us apply the principle of justification to the Railway Company in dismissing its servant. It arose in this way. After the evidence of Mr. Bather, Mr. Connacher was called, and somewhat qualified Bather's evidence; then Mr. Hood came before the Committee and repeated what had been deposed to by Mr. Bather, that Humphreys had been working for 44 hours on a stretch at a certain station on a given day. I think that was in November, 1887, and immediately preceded an accident at the station where he was a servant. Now, Sir, in consequence of the reiteration of Mr.

Bather's evidence by Mr. Hood, it became necessary for the officials of the Company to look into the pass books and the memoranda as to what took place immediately before the accident, and the inquiry disclosed this—that instead of Humphreys having served for 44 hours, as Hood and Bather asserted, he had not served more than half that time. There was an entry in the pay sheet to the effect that on the Saturday night and the Friday night immediately preceding the accident—the nights upon which it was said Humphreys worked 44 hours—a man named Robinson served one night and Humphreys the other. The pay sheet initialled in Hood's own handwriting showed that Humphreys and Robinson had both received pay in respect of those nights. When Hood's attention was called to this he raised the excuse—now raised by the right hon. Gentleman the Member for the Bridgeton Division—that as Humphreys was working those long hours he thought he should have the company of another servant, and therefore Robinson was allowed to be with him. That was not true. It was proved to the satisfaction of the majority of the Committee—the minority can deny it if they like—that the name Robinson was not in the handwriting of Robinson, but had been signed by a man named Stokes. It was discovered also upon testimony satisfactory to the majority of the Committee that this man had drawn his money, in respect of his services, from the stationmaster. If that is true, here you have the undoubted fact that it was not true that Humphreys was working 44 hours, but that his duties were shared by somebody else, that the stationmaster Hood permitted Stokes to sign Robinson's name, permitted some person to draw the money, and permitted Stokes also to practically draw money from another source. I ask any disinterested and impartial person to put himself in a position of trust, to put himself in the position of a Director of a Railway Company, a trustee for shareholders in the Railway Company, and ask himself if he would be acting fairly and honestly to the community by allowing a man who wilfully and deliberately falsified

his pay-sheet to remain in the service of the Company. I will go one step further. We had statements before the Committee which I submit to impartial men would, if true, be evidence of an offence within the Criminal Law.

MR. T. P. O'CONNOR: Why did you not prosecute him?

*MR. MILVAIN: I think no one will doubt, if the Directors of the Railway Company honestly believed he had been guilty of falsifying that pay-sheet they were perfectly justified, whatever the evidence he gave before the Committee may have been, in dismissing him from the service of the Railway Company. But there was another question, and it was that this is calculated to prejudice the Railway Company in the eyes of the public apparently without any provocation. Hood the stationmaster deposed to the Committee that this accident in 1887 was caused not by the negligence of Humphreys, but in consequence of the permanent way being in a rotten condition. Well, that was rather an astounding statement to make. But the cause of that accident had been inquired into by Colonel Rich, an Inspector of the Board of Trade. Colonel Rich inspected the permanent way, and his Report was not that the permanent way was in a rotten condition, but that the accident was brought about in consequence of the negligence of Humphreys. There are some persons in the Committee who believed, and who believe still, that the permanent way was in a rotten condition. But the evidence of Hood was only corroborated by a man who admitted in his statement before Colonel Rich that he deliberately said what was untrue.

MR. HENEAGE (Great Grimsby): Mr. Speaker, I wish to ask whether the hon. Gentleman is entitled to go into all these facts? If so, we shall have a week's debate. I ask that question more especially, seeing it has been said by the Committee, in their Report to the House—

“Your Committee have not deemed it to be part of their duty to express any opinion as to how far the conduct of the said John Hood and the irregularities disclosed by his evidence,

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as well as the character of the evidence, were calculated properly to forfeit the confidence of the Directors of the Cambrian Railway Company.”

MR. SPEAKER: That is entirely a matter for the discretion of this House. I quite agree with the right hon. Gentleman that it may be inconvenient to travel into all the details, but it is not for me to indicate the direction in which the discretion of any hon. Member may be limited in discussing the Special Report and the evidence contained in it.

*MR. MILVAIN: The right hon. Gentleman was not in his place when the right hon. Gentleman his colleague raised the question. The right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) has placed this issue before the House, and that renders it necessary for somebody, who I hope is acquainted with the evidence laid before the Committee, to refute the misleading statements of the right hon. Gentleman. I have only one question more to deal with, and that is upon a matter which was calculated to prejudice the Railway Company in the minds of the Committee. This man went to the Committee clerk and asked for his railway money to be refunded. There could be no harm in a witness going to the Committee clerk and getting his money refunded; but the thing that was calculated to prejudice the Railway Company in the eyes of the public was this: that at the time he went to the clerk and asked for his money to be refunded, he had in his pocket a letter from the Directors of the Railway Company telling him to take a ticket, and promising to refund the money to him. I cannot help repeating what I said before, that I think it is a great pity that this issue has been raised, because I think it will be perfectly apparent to the House that it is not to the interests of Hood that the question should have been raised. And I think there were some hon. Members who took exception to the expressions made use of the other day by the right hon. Gentleman the Chairman of the Committee (Sir Michael Hicks Beach) when he spoke of there being two parties upon the Committee, or two sides to the Committee. I think it will be perfectly apparent to this House that there are

two sides to this Committee, and that Mr. Buckley, Chairman of the Cambrian Railway Company, was justified in his opening statement when he said—

“That he wished that certain persons might be asked to give their evidence, because it was a very serious charge to make against the Company, because we are not in the position that those are in at this moment who seem to be attacking the Company, of having well-briefed gentlemen to assist them.”

I have served upon that Committee since the Committee sat, and I have endeavoured, to the best of my ability, to form an impartial judgment on the evidence given before the Committee. It is true I am a young Parliamentary hand, but it does seem strange that hon. Members of the Committee, put there for the purpose of acting as a jury and delivering their verdict in accordance with the evidence, should be day by day consulting with the secretaries and servants of the Amalgamated Society of Railway Servants.

MR. T. P. O'CONNOR: Why consult with the Directors?

MR. MILVAIN: I presume we may consult with other Members of the Committee on our right hand and on our left. I am unaware that I ever deserved the accusation which is hurled against me from the other side of the House by a man who has never been upon the Committee, and who does not know what has taken place before it. In my opinion, it is a scandalous state of affairs that a Member of the Committee should be sitting there and receiving instruction from day to day and act as nothing but a partisan.

*(6.40.) MR. J. WILSON (Durham, Mid): I quite agree with the hon. Member who has just sat down that we should approach this question and take our seats on the Committee with unbiased and uncoloured minds. But, unfortunately, there are no Trades Union secretaries on that Committee to consult. I think the hon. Member has implied in his remarks—and rather passionate they were—that he consulted with those who sat on his right and left. I think I am the nearest approach to a Trades Union secretary on that Committee, and, therefore, if anybody was consulted it would be myself. But I am not connected with the railway ser-

vants, and, therefore, I am not afraid of anyone asking questions of me. But if hon. Members have watched the course of the hon. Member's (Mr. Milvain's) address they will have come to the conclusion that his mind is very much coloured and very much biased. I have listened carefully to what the hon. Member said, and I have failed to find a single remark that dealt with the Directors of the Company; but I have found that throughout the whole of his discourse he has tried to rake up every item that he could against Hood, but not one single sentence in the whole of his speech in any way refers to the Directors, or sets forth that they had done wrong. The Directors of this Company have been before the House, and they have made an apology. If the suggestion made by the hon. Member for Camborne (Mr. Conybeare) had been accepted, I should not have risen in my place to say anything in the course of this Debate. If it had been considered that Mr. Hood was unfairly dealt with, and that there were other reasons besides incompetence which made the Directors discharge him; and if the Directors were willing to re-instate him or give him some compensation, I should not have said anything. But I do think it is quite necessary that the other side of this question should be heard. I have read an old parable of a man who made an apology for his sins, and asked for mercy when his creditor took him by the throat, but who, when he left the presence of that creditor, was as harsh in his conduct as ever he had been, and demanded from his debtor the uttermost farthing. I can understand the apology made by the Directors if they can get out of the difficulty in that way. But I speak as a working man, and as feeling what no other gentleman in this House can feel, because I have been in the position of Hood, and have had my daily bread taken away by the action of the men who employed me. And, speaking on behalf of a working man as a working man, I believe this man has been discharged from his duty substantially and entirely because he said before the Committee that which he believed to be true. The hon. Member for Durham said the long hours on the Cam-

brian Railway were ancient history. I have in my hand an outline of the evidence given by two of the witnesses of this railway. One of them is Albert Thomas, who has only been in the employment of the Company one year. He deposed that—

“He had been on duty 36 to 40 hours at a stretch. During the whole of those periods of 36 to 40 hours’ stretches he had no authority to leave the box, and he would have been neglecting his duty if he had done so.”

He likewise said that—

“He had been in the same box for a stretch of 40 hours.”

I think that entirely shows that the long hours which have been worked upon this railway are not a matter of ancient history, but have been in existence within the past four or five years. There are two questions which lead me to the conclusion that Hood has been discharged mainly on account of his appearance before the Committee. These two questions are—first, the great words of praise that this man has received from Mr. Conacher and the Company generally. I hold in my hand one or two references which have been made to Mr. Hood in times gone by by Mr. Conacher. This man has been in the service of the Company above 20 years. He has served them from a boy until he has become of middle age and his strength is waning. In 1881 he applied for a situation of a higher grade, and Mr. Conacher wrote the following letter:—

“Dear Sir,—Mr. Hood informs me that he is a candidate for the post of relieving officer in your district, and I beg to state that he has been in the service of this Company for about 20 years, for about 14 years of which he was, as you are aware, stationmaster at Ellesmere, and I am of opinion that his qualifications are such as to befit him for the position he seeks.—J. Conacher.”

There are other references one might quote made by Mr. Conacher as to the ability and qualifications of Hood. But it might be stated to the House that on the day before Hood appeared before the Committee to give his evidence he was one of ten men who received prizes from the Company for keeping his station in such a quiet and orderly manner. Surely a man who kept his station in such a manner as to call forth praise, and who won the third prize out of ten, is entitled to

better treatment than he has received. In connection with this prize, Hood says that from the year 1884 he had received prizes every year for the way and manner in which he kept his station, and he had received more prizes for that object than any other stationmaster on the line. Another question leads me to the conclusion that this man has been ill-treated, and that he was high in the estimation of the Company. Let us look at the wages he received. He received £80 a year as stationmaster, and in addition his house rent free and garden which, according to his own calculation, amounted to somewhere near £15 a year, thus making his income £95 a year. If I were speaking of other Railway Companies I should not offer to say that £80 a year was a very high sum for a stationmaster, but I would like to read to the House a quotation from the evidence of Mr. Conacher as to his value of labour and the wages that should be paid. In answer to a question put to him he says—

“That the current wages in any district for labour are 13s. or 14s. a week, and that, therefore, that was a proper sum to pay railway servants.”

Now, if that be so, any man receiving £80 a year, with £15 as the value of a house, would naturally be held in very high esteem by the Company, and consequently if he received this sum up to the time he gave evidence, it was a proof that the Company considered him a proper servant. I am sure there is no hon. Gentleman in this House who would like to be dealt with in the way and manner in which this man was dealt with a day or two after he gave his evidence before the Committee. He was on the platform when a clerk came to him with a letter and told him that he was done at a minute’s notice. The letter was as follows:—

“Secretary and General Manager’s Office,
Oswestry, 10th August, 1891.

“I am instructed by the Directors to inform you that this Company have no further use for your services, and, on your handing over the keys and all property of the Company, the bearer, Mr. Robert Jones, will pay you a month’s wages in lieu of the usual notice, and will take charge of your station from to-day. The house must be vacated on the 10th proximo.
J. Conacher.

“To Mr. Hood, Montgomery.”

Mr. J. Wilson

Having regard to the fact that Mr. Conacher in various letters had commended Hood, and that he was paid a high salary and received prizes for keeping his station so well, we can come to no other conclusion than that this man was discharged because he gave evidence before the Committee. It has been stated that we should act with justice to the community. I look upon this man, or any other witness before a Royal Commission or Parliamentary Committee, or a Court of Justice, as a servant of the State for the time being, who has a perfect right to be guarded and cared for. If any Board of Directors, or anyone else, interfere with that man in the discharge of his duty to the State, they have a perfect right to answer to the State for that. I would like the House to realise the position of this man for a moment; to put themselves into the position of this man; to take the position of a working man whose daily bread has been swept away by the action of a Board of Directors. He says—

“I went into the office and was paid a month's wages in advance, and handed up my keys to the relief clerk, who could give me no reason for my dismissal; and, as I knew of no reason myself, I need hardly tell you that the blow was a terrible one to me to be so harshly treated after so many years of faithful service.”

Here is a man who has given the best of his life to the Railway Company, and whatever energy and skill he possessed. He has grown old, and because he speaks the truth as a man ought to do, because he divulges that which is a question of safety or danger to the public, he is discharged from the employment in which he has served so faithfully and honourably. I am no lawyer, but I understand crimes are classed as injury to persons and injury to property. I venture to say these Directors have injured this man on both accounts; they have destroyed his character that he has built up for himself in the neighbourhood in which he lives; they have injured him in the most vital property that a working man can have. He has worked himself into that position from the lowest level of railway service to what is a very high level, yet these gentlemen, these Directors,

get this poor fellow into their Board-room and they harass him and hound him. I have seen the picture of a stag at bay with the hounds snarling all round him, and I am using no extravagant figure when I say I consider that this man was in that position. He has had taken from him the prospect of his daily bread, the prospects of his family, the results of life-long labour. And I would ask this House to say, if it can do nothing else, that these Directors should now compensate him in the only way in which it can be done.

(6.55.) MR. W. E. GLADSTONE (Edinburgh, Midlothian): My hon. Friend who has just sat down has made a pathetic and striking appeal to the House to apply the remedy which he appears to think we have it in our power to apply to an act of injustice. And I think that the discussion which we have heard must have impressed many minds with the belief that we are involved in a question of some difficulty. The right hon. Gentleman the President of the Board of Trade, speaking with the double authority of the Chairman of the Committee and a Member of the Cabinet, representing his colleagues on a question which touches the honour and dignity of the House, has made a proposition to the House, and my duty is to ask myself whether there is any sufficient reason for my dissenting from that proposition, or whether it is in my power to suggest, in lieu of the course he proposes to take, some course obviously more advisable. Well, certainly we have had a great diversity of opinion expressed. The hon. and learned Gentleman opposite has given an animated vindication of the conduct of the Directors. The prevailing tone of the speeches, and, perhaps, the prevailing sentiment of the House, are to the effect that there has been some harshness in the course which has been pursued. Such at least—it may be an incorrect inference—but such is the inference I should draw from the speeches which have been delivered. Then we have a diversity of course presented to us by the Amendment which has been proposed by another hon. Member. I understood the hon. Member who spoke last to support that Amendment;

and, though I will not criticise minutely the language of the Amendment, it is quite obvious to me that the Amendment is to the effect that the House desires and seeks to promote the re-instatement in office of a servant of a Railway Company whom the authorised heads of that Company have rightly or wrongly considered it their duty to dismiss.

MR. T. P. O'CONNOR: Or to compensate him.

MR. W. E. GLADSTONE: To re-instate or compensate. I am not sure that I am in a position to discuss that separate alternative. It would, I think, be a very novel, and, I am afraid, in some respects a questionable method of proceeding for this House to come to a decision which it has no power to enforce, that one individual should compensate some other individual to whom it thinks injustice has been done. Then, Sir, in respect to re-instatement, it is quite obvious that in any case where this House might be inclined to advise, and especially if it were inclined to force, the re-instatement in office of a person dismissed from it by competent authorities, this House would incur an indefinite, but a very serious responsibility from the consequences which might follow, or might be supposed to follow—even, perhaps, if unjustly supposed to follow—from that re-instatement. Then, Sir, I think the House must feel that, speaking broadly of proposals of this kind, we place ourselves in very considerable difficulty if we widen the issue beyond that which has been raised for us by the Committee. This Committee was presumably in possession of our confidence, and nothing has been said in this Debate which leads me to suppose that the House has seen cause to withdraw that confidence. I admit there may have been in the evidence facts or language which might have led the House on some broad grounds to believe the Committee had gone astray; but I wish to represent to the House that in the absence of such broad grounds we may perhaps be wiser to continue that confidence in the Committee which we testified by its appointment, and which they would appear to deserve by a lengthened and laborious investigation, and consequently to see what it is that

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the Committee recommend us to do, and whether we can really make a practical improvement on that recommendation. Sir, there are two things about which I imagine unanimity prevails—they have not been questioned in any of the speeches delivered to-night. One of them is that it is our absolute duty, under all conditions and in all circumstances, to maintain the perfect freedom of speech for witnesses before our Committees, and the second is that it is a duty no less sacred to vindicate in a just and equitable, but in a firm and decided manner the Privileges of the House. Well, Sir, I observe that the Committee have abstained, although there was a division of opinion in the Committee on the subject, the Committee—that is to say, the majority of the Committee—have abstained from re-trying the question between the House and Mr. Hood. I am not prepared, for one, to depart from the course taken by the Committee. I do not say that arguments may not be made to an opposite effect; but, in my opinion, if we attempt to try the case between the Company and Mr. Hood on its merits we shall embark on a task of great difficulty, and one not to be satisfactorily disposed of in a debate of one, two, or three nights in this House. The Committee, as I think wisely, addressed the attention of the House to that which primarily concerns our duty in the matter—namely, the dangerous effect of the conduct of the Directors upon the freedom of speech of witnesses before our Committees, and upon their probable disposition in consequence to speak freely or otherwise when called upon to give their evidence. That being the case, the right hon. Gentleman has proposed a Motion which undoubtedly goes past the question of the relative merits of the Directors and Mr. Hood, in the case unhappily raised between them, and the right hon. Gentleman has addressed himself strictly by his Motion to maintaining the Privileges of the House, and at the same time securing freedom of speech before our Committees. The right hon. Gentleman has laid stress on the fact that apology has been made by the hon. Member of this House—whom I believe no one

would ever dream of accusing of intentional wrong to anyone—and those who have been associated with him in this matter. I have looked to that apology, and I think, on the one hand, it is typically genuine, and on the other it is sufficient. The course of this House, as long as I can recollect it, has been in individual cases of Privilege and in cases of Privilege generally — however highly the doctrine of Privilege may have been stated by high authorities on certain occasions—whenever it has come to the application of the doctrine of privilege, the instinctive effort and disposition of the House and the uniform practice of the House has been to endeavour to unite mildness with firmness. Well, Sir, wrong has been done in this case, and apology has been made for that wrong—not as regards the injury done to the individual; that is not the question put before us by the Committee, and it is not a question which could be satisfactorily disposed of by any such discussion as this—but apology has been made for the wrong done to a public principle and to the public interest, with regard to the examination of witnesses before our Committees. Upon that the right hon. Gentleman has proposed that, notwithstanding that apology, the persons who have, unhappily and unwittingly, no doubt, committed this wrong should be admonished from the Chair. Some are of opinion that the language of the right hon. Gentleman's Motion ought to be strengthened. Sir, I do not concur in that opinion. The House of Commons on all occasions generously and largely accepts every apology which it believes to be sincere, and that is not only a generous course—it is a wise and prudent course. This House has quite enough to do in the discharge of its public duties, and it is wisdom as well as liberality to avoid as far as possible all collateral controversies. The right hon. Gentleman opposite proposes that these gentlemen be admonished. There is a stronger code of proceeding which is sometimes adopted—namely, that persons who have offended the House should be reprimanded. I recollect hearing a reprimand delivered from the Chair to one of the most distinguished Members of the House—namely,

Mr. O'Connell. But there were two distinguishing circumstances to be observed in that case. First, that the offence committed by Mr. O'Connell—for I must so describe it, as it was so found by the House—the offence was a very serious one; it was a charge, I think, of perjury, or something very near it, against a sworn Committee of this House; and the second was that Mr. O'Connell had declined to apologise for what he had done. Under those circumstances a reprimand was, I think, administered to Mr. O'Connell. But, as a general rule, it will be found laid down in the work of Sir Erskine May that the House has two methods of proceeding—one of them is to admonish, and the other is to reprimand, but that the course of reprimanding is not adopted unless in cases so grave in their character that, as a general rule, the offenders are in custody in the House at the time when the House determines to take that severe course. No one will say there is here before us a set of circumstances in which we could dream of placing these gentlemen in custody. I believe the right hon. Gentleman is acting strictly in accordance with Parliamentary precedent in asking the House to cause to be admonished the gentlemen who are now before us in the actual circumstances of the case; because I think we hold—not only do I speak of precedent, but I speak also of principle—that in the more lenient view which the House adopts in these matters apology in ordinary cases purges the offence. The offence is against the House; and if we accept the apology—and I do not see how we can do otherwise than receive it in this case—the offence against the House ceases to exist so far as this matter is concerned. But there was a public evil apprehended, and, therefore, it is quite right that we should not rest satisfied with mere apology, and against that public evil the admonition which is to be delivered from the Chair, if this Motion be adopted, appears to afford full and sufficient remedy. I must say I have the conviction that those who have unhappily violated in this instance the Privileges of this House will be the very last persons likely to fall into similar error or inadvertence here-

after; that the course of proceeding is sufficient, and that we should limit ourselves to that which is sufficient; and whatever we may feel, whatever we may think with regard to the hardship which one individual may have suffered, we should not undertake a process even for remedying what may appear to be such hardship unless we are convinced that it is in our power to carry that process to a successful issue. On these grounds I must confess I do not think the House could act more wisely than by adopting the recommendation now made to us by the right hon. Gentleman and by the Government—a recommendation which I must say I think is fully in the spirit of the Report of the Committee as it stands, and which is, therefore, placing the proceedings of the House in this matter upon a footing on which they will receive the approval of the country.

(7.15.) MR. CREMER (Shoreditch, Haggerston): I hope hon. Members opposite have not deluded themselves into the belief that they have heard the last of this question; we shall yet ask them to hear some unpleasant truths. It requires no small courage to differ from the views expressed by so great an authority as the right hon. Gentleman the Member for Midlothian; but with all due respect to him I am afraid he has missed one very important point in the question—namely, that those men, who just now came to the Bar with such a lame apology to the House, have not been asked by the right hon. Gentleman opposite to tender any kind of apology, to make any atonement to Mr. Hood for the injury done to him. There are two proposals before the House—one that of the right hon. Gentleman, which brought the culprits to the Bar with that miserable apology, and the Amendment which calls on the three gentlemen to make some kind of compensation to Mr. Hood or to re-instate him. I regret that the Amendment is accompanied by any request for the re-instatement of a man who has given 24 years of honest service. It has taken 24 years to discover that this unfortunate man was not a trustworthy servant; a man whom they had the day before rewarded for his skill, good conduct, and diligence in keeping his

station in good order. They have not only been guilty of abominable cruelty to this man, but are telling something which is very nearly akin to falsehood by putting on record the contemptible plea that they have discovered at last that he is an untrustworthy servant. I trust the Amendment will be pressed to a Division, though I think it would find more support without the request for re-instatement. If he were re-instated what would prevent his dismissal in two or three weeks' time? There is another course which I think the House might have taken. It might have imposed on these men a heavy pecuniary penalty, which is the only way to make them feel the displeasure of the House at the conduct of which they have been guilty. You told me, however, Sir, that I could not move to add to the Resolution words calling on these gentlemen to pay a fine of £1,000 each, to be handed over to Mr. Hood as some compensation for the wrong done to him. I shall vote for the Amendment, my only regret being that it is not of a more severe nature, and I hope we shall support that Amendment as heartily and numerous as we can to testify the indignation of a considerable minority at the dismissal of a public servant after 24 years' honest labour because he had the courage of his convictions and told truths which were unpalatable to the Directors of the Cambrian Company.

(7.23.) MR. CUNINGHAM GRAHAM (Lanark, N.W.): The hon. Member for Durham said that there were two parties in the Committee; it seems to me that there are two parties in the House—one of which looks on this as a mere breach of Parliamentary Privilege, and the other that which looks upon it as an important question of the bread having been taken out of a man's mouth and his means of subsistence taken away after many years of faithful service. Not being an old Member of the House, I approach with diffidence the question of the breach of Privilege, but I congratulate the President of the Board of Trade on the specious nature of the arguments he laid before the House. It seemed to me he was endeavouring to touch the coil which is usually set in motion to prevent further interference with those

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great monopolists, the Railway Companies. He led us to understand that it was not in the power of Parliament to have Hood re-instated; that Parliament could not interfere between the rich Directors of a vast monopoly and one of their poor servants. The speech of the right hon. Member for the Bridgeton Division (Sir G. Trevelyan) was full of sentiment—he proposed something and concluded nothing. In what position as Members of this House are we to pose before the bar of public opinion in this matter? A mere perfunctory apology such as that given will not satisfy the great body of the working public of this country. What profit is such an apology to a man like Hood who has lost his employment? As to his re-instatement, I think that would be absolutely illusory, for it would be impossible for any man to fulfil his duties under such circumstances in a way to continue in the employment of the Company for a fortnight after he was taken back. I hope the House will rise superior to this miserable question of mere breach of the Privileges of this House, and will see, as I think they do see, that gross injustice is being done to a helpless man by a rich and powerful Corporation. (Laughter). It is a matter of no importance to me whether this is a rich company or a company of straw—whether their rolling stock is rotten or their permanent way in bad condition; what I am anxious to know is whether the House is going to rise superior to the insinuations, first started by the President of the Board of Trade, and ably supported by right hon. Gentlemen on this side, as to the impossibility of dealing with this question as proposed by the hon. Member for the Scotland Division (Mr. T. P. O'Connor). A scandalous act of injustice has been committed, and even if the particular Committee has ceased to sit, other Committees will have to inquire into analogous questions, and there is a feeling abroad testified to by the refusal of the Miners' Federation to give evidence before the Royal Commission on Labour, and if we refuse to do justice to this man we shall upset the feeling of confidence which ought to exist in the mind of the working classes in the honour,

fair dealing, and secrecy of the proceedings before Committees of this House, and the result will be that all future Committees to inquire into the question of hours of labour and analogous questions will be futile and illusory, and we shall not be able to get evidence to enable us to judge the opinion of the working classes, owing to the fear, carefully instilled into the House, of the danger of further interfering with private concerns by the action of the House. An hon. Member near me says that if only five or six Members go into the Lobby we ought to have the courage of our opinions, so that people outside may know that we are not hand and glove with the great Railway Companies and other swindling concerns—(Cries of "Order!")—well, and other enterprises, in their attempts to oppress their employees. I hope the presence of the working class Representatives will be a standing menace to Railway Directors and others, and I trust the House will not attach too much importance to the mere question of Privilege, which, after all, is a small matter. I hope the House will support the Amendment of the hon. Member for the Scotland Division; for if we do nothing but vindicate our own dignity the opinion in which we are held by people outside is likely to suffer.

* (7.32.) MR. CHANNING (Northampton, E.): The President of the Board of Trade, in making his statement, remarked that in the Report of the Committee there were two passages which presented more than a merely verbal difference; but he omitted to say that it was only by his own casting vote that the Committee decided to insert the words "dismissed in consequence of charges arising out of his evidence," instead of the words which I suggested—namely, that Mr. Hood was dismissed "in consequence of the evidence given before your Committee." It was only because of the accidental absence of one or two Members of the Committee and because of the casting vote of the right hon. Gentleman that the milder form of words found a place in the Report. I venture to say that it would have been fairer to the House if the right

hon. Gentleman had intimated that this was not a unanimous Report, and that we were practically evenly divided on this most essential issue. The hon. and learned Member for Durham (Mr. Milvain) has thrown down a challenge to me, and has asserted that there were on this Committee well-briefed gentlemen who argued the case for the employees. I am not ashamed of the part I have borne in the examination and cross-examination of witnesses before the Committee. I am not ashamed of having taken up the case of the railway servants, and of having done my best to prove from the witnesses the contentions for which I and other gentlemen on the Committee have been struggling. And I think such a challenge comes with a very bad grace from the one gentleman on the other side who in his examination and cross-examination of witnesses has employed a procedure only known in the Criminal Courts of this country. The hon. and learned Member for Durham has tried to introduce invidious matter against Mr. Hood by referring to this question of the pay-sheet, but he has forgotten to tell the House what I elicited from the Chairman of the Company on this subject. After pressing Mr. Buckley for 20 minutes or half-an-hour I secured from him an admission that Mr. Hood, when he was dismissed from the Company's service, received back his guarantee money, which was an acknowledgment that his accounts with the Company were clear and honest. I think it is only right, after the invidious and persecuting spirit in which the hon. Member has placed this part of the subject before the House, that I should state this fact. In my opinion, this man was dismissed solely and entirely because of the spirit in which the Chairman acted from the first. In replying to me he said on three or four different occasions that he thought it was disloyalty to the Company on the part of this official that he should take any part as the friend or spokesman of the workmen under his control, and that it was not the duty of this man to take part in any agitation which had for its object the improvement of the condition of those who were working

under him, and that it was his duty to take the part of his employers, the Company. The only reason that he was dismissed was because he took the part of those humbler men, and because he took part in an agitation to relieve those poor men from the cruelty of long and protracted hours. The hon. and learned Member for Durham has actually stated that the men were now quite content with their hours, but his argument is entirely worthless, because he knows very well, and so does every Member of the Committee, that this scandal of long hours was only swept away in October or November of the year before last, after the agitation had begun. Mr. Conacher came before us and stated that he had not known of these enormous hours worked by the servants of the Railway Company, and that he was only informed of it at the last moment. That statement seems incredible on the face of it. I am not here, however, to charge Mr. Conacher with falsehood—though I must express my opinion that much of his evidence bears that character—but it was only after the agitation had brought to the knowledge of the world the disgraceful hours worked upon this railway that those hours were shortened. There were only two occasions on which this man was complained about or punished, and in both cases when he had been taking the part of the men. The first occasion was when he thought that one of the porters under him had been unjustly dismissed from his employment, and he, in company with a number of people in the town, signed a memorial for the man's re-instatement. On that occasion Mr. Hood was suspended, and eventually was removed to a smaller station. The second occasion is the present, when he has been dismissed from his employment and deprived of his livelihood. I consider the treatment of this man is a disgrace and a scandal. I say that this man has been hunted down by the Chairman and the Manager of this line, and driven out of his position because he dared to speak on behalf of the workmen under him, and I say that is an offence which calls for far more stringent measures than are proposed by the President of the

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Board of Trade. I should not have shrunk from moving a Resolution which would have committed Mr. Buckley and Mr. Conacher—for I consider the offence of the Member for the Stretford Division and of the other gentleman is a smaller one—to the custody of the Serjeant-at-Arms. I trust, however, that the decision of the House may prove a salutary warning not only to these gentlemen but to other employers of labour.

*(7.45.) MR. FENWICK (Northumberland, Wansbeck): I suppose everyone will agree that the Motion of the President of the Board of Trade would carry greater weight provided it was accepted by the unanimous vote of the House. But it is evident that in its present form it will not be unanimously supported by the House. I have risen, therefore, for the purpose of making a suggestion to the First Lord of the Treasury, which I think will enable us to accept unanimously the Resolution proposed by the President of the Board of Trade. I would suggest that this Debate should be adjourned, in order to give the Directors of the Cambrian Railway an opportunity of considering the question of compensating Mr. Hood. Unless some such course is adopted, it is idle to think that, by a Motion like this, you will create confidence in the minds of the working people who are compelled to give evidence before Select Committees. The idea that gentlemen of wealth may condone an offence against the Privileges of this House by a mere apology, however sincere, will do no good. There is great force in the words: "He takes my life who takes from me the means by which I live," and this is practically what has been done in the case of John Hood. And unless some compensation is given to Hood for the injustice and hardship that has been done to him, it is idle to think that such a Resolution as that proposed by the President of the Board of Trade will establish confidence in the minds of workmen when they are in future requested to give evidence before Committees of this House. I therefore make the suggestion that I have put forward in order that the Directors of the Cambrian Company may have an opportunity of considering the point.

I understand the matter has already been brought under the notice of the Directors, and, in order that we may not foreclose these negotiations, I move the Adjournment of the Debate with the object I have stated. I quite agree that we cannot insist on the question of re-instatement. The man's life, if he were re-instated, would be a misery to him, and it would be better for him, and better for the Directors, that they should part company, and part company for ever. The only way in which that can be done satisfactorily is by some form of compensation being offered to him for the loss of his employment, and his consequent suffering, both in body and mind, through the action of the Directors. I move the Adjournment of the Debate.

(7.40.) MR. J. ROWLANDS (Finsbury, E.): I beg to second the Motion.

Motion made, and Question proposed,
 "That the Debate be now adjourned."
 —(Mr. Fenwick.)

(7.50.) MR. A. J. BALFOUR: I hope the hon. Member who has moved this Amendment will not press it to a Division. I think he will feel that if we were to adjourn the Debate for the reason he has given we should be practically expressing an opinion as to the merits of the controversy between the Directors of the Cambrian Railway Company and Mr. Hood. We should, in other words, be dealing with that part of the subject which the right hon. Gentleman the Member for Midlothian very properly reminded us we shall probably have to deal with. The whole speech of the hon. Gentleman is based upon the opinion, which I have not the least doubt he most sincerely entertains, that Mr. Hood has been a wronged man in all respects, that he was a man in whom the Directors had every reason to have confidence, and that their dismissal of him was a harsh exercise of arbitrary power. Whether he be right or wrong, he must know very well that a large number of persons who have the very best means of forming a judgment are of a directly opposite opinion. I do not, of course, say whether that opinion is right or wrong; but in a case in which those who have heard the evidence have

come to an exactly opposite opinion from that entertained by the hon. Member, it is surely rash that this House, not having heard the evidence, should express an opinion on the point. The hon. Gentleman, I gather, holds the view that the Directors of the Cambrian Company are wealthy people having at their backs large funds, and have, therefore, been dealt with by this House in a more lenient fashion than would Hood or his friends had they committed a breach of our Privileges. I am sure that the hon. Gentleman will see that that view is not sustainable, and if I am to express an opinion on that point, I think it does not induce the House to lean in the direction of any gentleman who breaks its Privileges that they happen to belong to the relatively small class of employers rather than to the large class of employed. I believe all parties in the House desire to act with absolute impartiality, and will not allow their minds to be influenced by the fact that this breach of Privilege has been committed in connection with a very burning controversy between employers and employed; and if they will put themselves in that impartial condition of mind, they will feel with hon. Gentlemen on the Front Bench opposite that probably the course we are pursuing is most conducive to the dignity of the House. In any case, I think it would be quite impossible for us to assent to the Motion which would hold suspended over the heads of those who have been heard at the Bar our final decision as to the course to be adopted. For that reason, and also because I think it is dangerous for us to embark on a discussion and commit ourselves to a decision on the merits of the case between the one side or the other, I again beg to press upon the hon. Member to consider the advisability of withdrawing his Motion, and allowing us to proceed to a decision.

(7.55.) **SIR W. HARCOURT** (Derby): The difficulty I feel about the remarks of my hon. Friend is not exactly of the character which has just been stated by the right hon. Gentleman the Leader of the House. I have no difficulty in forming my own opinion of the nature of this transaction. I have read this evidence, and

I have not the smallest doubt whatever that those Directors dismissed this man on account of the evidence he gave before the Committee. The mere fact that Mr. Conacher, before he gave any evidence at all, applied to the London and North-Western Railway Company to get up a case against him was enough for me. Consequently, I am prepared to condemn these Directors for the course they have taken both with reference to this man and with reference to the House of Commons. But I would ask my hon. Friend to remember that to-night and in this place, important as it is to vindicate justice towards any individual, it is far more important that we should maintain the character, the dignity, and the authority of the House of Commons. If we are going to adjourn this Debate, what are we going to adjourn it for? To enter into negotiations with the Cambrian Directors? That seems to me to be the reason suggested, that we should find out what the Directors would do. That does not seem to me to be a course that would become us on this occasion. Some Gentlemen in the course of this Debate have talked about fines. There was a time, more than 200 years ago, when the House of Commons endeavoured to pursue that course. It has never endeavoured to pursue it since, and it would be a very unwise power for the House of Commons to exercise. The House of Commons never appears to advantage when it exceeds its jurisdiction, especially in cases of Privilege. I can remember in my youth the mess the House of Commons got into in the case of Stockdale and Hansard, when we measured swords with our printers and with the Courts of Law. Strongly as I have expressed my opinion of the behaviour of the Directors in the matter, the objection I feel to the Amendment of my hon. Friend the Member for the Scotland Division is, "How are you to carry it into effect?" The Amendment says that the Directors will not have purged their contempt until they have re-instated Hood, or otherwise compensated him. You cannot compel them to re-instate him. You have no legal authority or power to do it. You cannot compel them to compensate him. You have no jurisdiction

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nor any machinery by which you can carry that out. You cannot with advantage to the House take a course of this character. I think the knowledge of what has been their action in this case and the force of public opinion will not be lost upon the Directors of the Cambrian Railway, and I hope and believe—nay, I am convinced—that these forces will do justice to this man Hood for the treatment he has received. But it is not on account of the natural and just feeling of indignation which this treatment has inspired that we ought to allow ourselves to commit the House of Commons to a course of conduct which may not redound to its advantage or its dignity. And glad as I should be myself, holding the opinion that I entertain as to the treatment this man has received from the hands of these Directors, to take any course which should give him the redress which he is entitled to, I cannot follow on any lines which I think would place the House of Commons in a false position. I have been looking myself into the precedents in this case; and there is a case which resembles it, I think, very much in character. It took place in 1842. There was a man of the name of Ashworth, and he was charged before this House with an attempt to influence a witness under examination. It is not exactly the same thing, but it is of a cognate character. He was summoned to the Bar of this House, and he apologised for his conduct; and the Motion then made was—

“That Ashworth, having expressed his contrition for his offence, he be called to the Bar and admonished by Mr. Speaker, and discharged from further attendance on this House.”

That was the course taken in that case, and the right hon. Gentleman the President of the Board of Trade will excuse me for saying that he would have very much strengthened his Resolution if he had not introduced into his speech language which looked to me a great deal too much like apologising for the conduct of the Directors. I think that has tended very much to weaken his Resolution, and to put a greater difficulty in the way of the House adopting it. I hope he will excuse me for saying, with great respect, that I think he was in error in

the conduct of his case. But we have got to look at the substance of the thing. What else can the House of Commons do except what has been proposed? That is the practical question which we have got to put to ourselves. You cannot compel the re-instatement of this man; you cannot compel compensation. It is true you can send these men to prison. (Cheers.) All I can say is, I cannot advise the House of Commons to take that course. You may in the heat of discussion and in a moment of indignation take a course of that kind; but the House of Commons never took a course of that kind that it has not upon reflection had occasion to regret it. I do not think it would be a wise course, and I do not think it would ultimately be a dignified course. You have called these men before you; you have compelled them to admit their error. (Cries of “No!”) Well, I must say that I think the admission might have been made in a franker manner. But I am now considering what course I think it would be wise for us to take to-night. They have, at all events, expressed their regret for the violation of the Privileges of the House, and upon that it seems to me that an admonition and a rebuke to them for the conduct they have pursued is a course which the former practice of this House indicates as that which is becoming to its dignity. Mr. Speaker, I am one of those who believe that the effect of the language which you, Sir, will address to them will in itself bring about that regret for the wrong that has been done which I believe every man in this House desires to see manifested.

*(8.5.) MR. HOWELL (Bethnal Green, N.E.): I think the House will see at once that the case cited by the right hon. Gentleman (Sir William Harcourt) is not on all-fours with the case now before the House. In the particular case cited by the right hon. Gentleman there was a temporary injury done; and there it ended. What is happening in this case is that an injury is proceeding; and they have not attempted to purge themselves from that injury which is now proceeding. The apology tendered

to this House is an absolutely empty apology, for the Directors are now doing and continuing the wrong of which we complain. I speak on this subject, not as many hon. Members on that side of the House, who seem to regard it as a trifling thing and to jeer at it; I speak as one who has suffered from this kind of thing myself. It has been my lot to have been starved out of London, and to have had my home sold over my head twice. That has been done by employers of labour, and therefore I can well understand how it is that a great deal of feeling has been evoked in the case of the man Hood. But I say that the apology that has been tendered is adding insult to injury. What has been done here to-night? An attempt has been made to injure this man in his name and character, beyond the injury which has been already inflicted upon him by discharging him from his position, so that he would not be able to get any other employment in any Railway Company of the United Kingdom. I say, Sir, it is an insult to this House to ask this House to pass unanimously the empty apology that has been tendered, whilst no reparation whatever is made to the man who has been injured, and will be injured as long as he lives, and his wife and family with him. The right hon. Gentleman seemed to be shocked that some hon. Members on this side of the House suggested the alternative of the prison. Why, it is a fitting alternative for men who have endeavoured to starve a man and his wife and family for giving evidence, as he was entitled to have done, before a Committee of this House. And yet you tell us that you are vindicating the honour and privileges of this House, whilst you give ample opportunity for such-like Corporations and such-like Companies to inflict a like injury again the next time they happen to come upon another man employed by a railway, or employed in a mine, or employed in a workshop in the United Kingdom, who might give evidence. I am not able to speak with regard to the particular form in which sufficient compensation should be made; but it seems to me that my hon. Friend below me (Mr. Fenwick) has made a suggestion that might

be accepted by the House—to leave it to the Cambrian Railway Company and the hon. Gentleman who is a Member of this House, and the other Directors of the Company, to make some compensation to this man for the injury that has been done. But unless they are prepared to make this reparation for the injury they have done, well, then, I say that I, for one, should go with a light heart into the Lobby to vote for the imprisonment of men—(laughter)—yes; hon. Gentlemen may laugh—of men who will set at naught the Privileges of this House, and who will set at naught the poverty and suffering of the witnesses who give evidence before a Committee of this House.

*MR. SPEAKER: The Question is that the Debate be now adjourned.

(8.10.) MR. RADCLIFFE COOKE (Newington, W.): I am afraid the labours of our Committee have not been very useful. We sat for five or six days. We had all these gentlemen before us. We had Hood before us and many others for many hours of the same day. We found—(*Cries of "Question, question!"*)

*MR. SPEAKER: I must remind the hon. Member that the Question before the House is the Question of the Adjournment of the Debate.

MR. RADCLIFFE COOKE: Having submitted our Report to the House, it does seem strange—(*Cries of "Order! Order!"*)

*MR. SPEAKER: I must ask the hon. Member to take notice of what I have said, that the Debate is on the Adjournment, and he has had recourse to his former argument.

MR. RADCLIFFE COOKE: I was about to say that, having finished our labours and having submitted our Report to the House, it does seem strange that this House should be required again to debate a matter which was so fully raised before us, and which has been so fully investigated by the Committee specially appointed for the purpose.

Dr. TANNER, Mr. MORTON, and other hon. Members rose to speak, but none of them was invited to continue the discussion.

Question put.

The House divided :—Ayes 136 ;
Noes 221.—(Div. List, No. 71.)

Question again proposed, " That those words be there added."

*(8.58.) Mr. [McLAREN (Cheshire, Crewe): I am disposed to regret that this case of John Hood was not dealt with at an earlier period, because I think it is a question which should have been kept within limits that would have enabled the House to have come to a very speedy decision with regard to it. I do not intend to follow the example of some of my colleagues on the Committee in going into the evidence which was laid before them, except on one very important point. I think it would have been infinitely better if the question before the House had been confined to the point to which the right hon. Gentleman the President of the Board of Trade endeavoured to confine it. Granting that a breach of Privilege has been committed, it would be necessary to decide what punishment should be meted out to the four gentlemen who were called before the House to account for their conduct, and I entirely concur in the view that this House is not fully competent to decide upon the general merits of the very complicated questions as between Mr. Hood and the Directors of the Cambrian Railway. Therefore, it is somewhat idle to occupy a great amount of time in going into the other parts of the question. The question is a serious one, both as regards Hood and as regards working men generally who may come and give evidence before any Committee of this House. In Oswestry, to which I recently paid a visit, Hood is well known, and though everybody there does not sympathise with him it is felt in the strongest degree that he was dismissed for giving evidence. It has spread something like terrorism among the employees all along the Cambrian line. If Hood had not given evidence he would not have been dismissed, and it is, therefore, idle for the Directors to say that he was dismissed because of his irregularities. The irregularities were three or four years old; they were of a trivial nature; and, considering that they would not have been discovered if Hood had not given

evidence, his dismissal is one of the meanest of things. The serious part of the matter is the effect it may have on employers and workmen throughout the country; and certainly if employers find that Parliament treats a matter of this kind lightly, many of them will be encouraged to attempt to control the expressions of opinion of their workmen. There is far too great a tendency among employers to assume the control of a workman's actions and opinions after his day's work is done. I have seen plenty of it in my own constituency, where men have suffered, and even been dismissed, because of their political opinions, and the House will remember the Crewe intimidation cases that were so much talked of two or three years ago. We have now the opportunity to strike a blow against this intimidation, to show to employers everywhere what this House thinks of their interference with the free speech of their workmen. For this supreme reason, therefore, it is desirable that Parliament should take the strictest and most severe view of a transaction of this kind, so that freedom of speech may be preserved. Now, Sir, did the Cambrian Railway Directors commit the offence which is charged against them, and was the effect such as to deter other witnesses from giving evidence? It was said by the right hon. Gentleman opposite that, as the Committee had resolved to take no more evidence, it was, therefore, untrue to say that witnesses had been deterred from coming forward. Technically, the right hon. Gentleman may be correct, but in substance he is certainly not so; and we were assured by Mr. Harford, whose evidence was not rebutted, that witnesses would be deterred. I am a Member of this Committee, and I am a Member of the Committee that is inquiring into the question of shop hours. Both Committees are pursuing precisely the same line in calling both employer and employed; and as the character of the two Committees is the same, it is obvious that if the shopkeepers find that this House is going to treat lightly the case of those who injure any person for giving evidence they in their turn might be emboldened to act in the same way. Many gentlemen would

not object to the excitement and notoriety arising from their appearance at the Bar of the House, and possibly the three gentlemen who have appeared at the Bar of the House to-day will be the heroes of their respective domestic circles; they will not regard it as an injury, but rather as a joke. We do not desire that the matter should be so treated; we regard it as a very grave and serious thing; and we should let it be known that severe punishment will follow any intimidation of our witnesses. The Directors have dismissed Hood because of the evidence he gave, and done it in such a clumsy way that we could bring them to account for it; but if they had done it more astutely, and if this Committee had not happened to be sitting, we should have heard nothing of this matter. We want to take some precautions which, if I may say so, will strike terror into the minds of those who might wish to act similarly. I am sure the Resolution of the President of the Board of Trade will not have that effect. There can be no doubt that, in addition to the dismissal of Hood, he was directly censured. I will only read two or three sentences from the report of the meeting at Crewe which was called to nominally re-consider the case—

"On Mr. Hood being called in, the Chairman, addressing him, said:—The Directors believed, when they came to their recent decision relating to yourself, that they had before them all the facts of the case to enable them to come to a judgment. Of course they had all the correspondence, but in consequence of the letters you have written to me the Board have thought it desirable to give you an opportunity of making any statement you may wish to do. You must understand that your dismissal was not because you gave evidence before the Select Committee; you were summoned to give evidence; but you must address yourself to the question of the justification of the statements you made there. We do not object to your giving evidence, but you must justify what you said."

Therefore, while the Directors did not take objection to evidence being given, they did object to the nature of the evidence that was given. That is perfectly clear from the remarks of the hon. Member for Stretford, who did not only question Hood, but bullied him. The hon. Member said at the meeting referred to, following a statement by

the Chairman to Hood that he had screened Humphreys—

"No; it is to screen Mr. Hood himself from a gross neglect of duty, and he had better say frankly that the replies to the Select Committee, giving the thing in the way in which he did, were false."

I say it is a monstrous thing for any Director of a Company, having dismissed a workman, and having met to consider whether he should be re-instated, to break out and bully him, and to tell him he had better confess at once that the evidence he gave was false. There is no evidence that Hood said anything but what he believed to be true. Although that meeting at Crewe was ostensibly called for the purpose of considering the re-instatement of Hood, there never was the slightest intention to re-instate him. They simply desired to find out something further incriminating him. Now, Sir, I think the action of the hon. Member for the Scotland Division, in moving the Amendment now before the House, was premature and unfortunate. I rose at the same time as the hon. Member, and my object was to move the substitution of the word "censure" or "reprimand" for the word "admonish." As the Resolution stands it is not, in my opinion, sufficiently strong. There are three degrees of punishment which are open to the House. The weakest of all is to admonish, the next is to reprimand, the third is imprisonment. I am sorry the right hon. Gentleman has chosen the weakest of the three. The right hon. Gentleman the Member for Midlothian said that reprimand was only resorted to when an apology was refused; but I consider that the apology which was made to the House to-night was of so trumpery a character as to be practically worthless. I am therefore quite prepared, though we cannot now insert the word "reprimand," to vote for a more severe punishment than is proposed. I do not think these gentlemen would be too severely dealt with if they were committed by the House to custody for a week or a fortnight, because they were dealing with persons in a subordinate position to them; and it is the duty of the House to protect freedom of speech, and the free expression of opinion, especially

before Parliamentary Committees. With regard to the part of the Amendment which has been so unfortunately moved, I feel that it is impossible, for various reasons, that Hood can be re-instated; and if he were re-instated he might be dismissed in a fortnight on some other charge. But I am strongly of opinion that we ought to make an effort to obtain some pecuniary compensation for him. Although there is no precedent for such a course, there is no reason why we should not create one. I am inclined to think this is the first case of an employer dismissing a workman for giving evidence before a Committee of this House; and if it is at all possible for us to do so, the House is bound, in justice to Hood, to take the course which I suggest. I believe it is possible, and that we should decline to consider the offence purged till compensation is given. We can imprison the Directors till the end of the Session unless meantime they compensate Hood; and that is the course which in the interest of right of free speech and free evidence we ought to take. I presume the Amendment will be put as a whole; and while I will vote for it if it is pressed to a Division, I wish at the same time to make it clearly understood that I am in favour of trying to obtain pecuniary compensation for Hood, and that I disapprove of that part of the Amendment which relates to Hood's re-instatement.

(9.23.) MR. CONYBEARE (Cornwall, Camborne): I feel it my duty to join in the strong expression of opinion made by many hon. Members as to the inadequacy of the proposal of the right hon. Gentleman the President of the Board of Trade to meet the case before the House. I do so upon the broad general ground that it is essentially necessary not only to effectively protect a working man in speaking out boldly and truly, especially in connection with Select Committees of this House, but also to produce a wholesome effect generally between employers and employed, and to show that we will do our utmost to protect working men against the tyranny sometimes exercised against them by

an employer, by the most insidious and roundabout methods, to punish an employee who, by giving evidence or otherwise, has brought himself into disfavour. A case of this kind directly affects us because affecting the Privileges of this honourable House. There are other cases, which touch us quite as much, where intimidation and the most insidious and roundabout influence is indirectly used by employers to influence and intimidate workmen as to their votes at Parliamentary elections. I have unfortunately myself had experience of such cases, and these make me think it is all the more incumbent upon us to declare in the strongest manner possible our strong reprobation of those who make such attempts against the liberty of the subject. The right hon. Gentleman the President of the Board of Trade made a lame and halting apology in defence of the conduct of the Directors. He laid great stress not on the strong points in the Special Report—that the Directors had summoned this man and censured him for what he said before the Committee—but he laid the greatest stress on the point that Hood was not dismissed for what he said before the Committee, but for other charges arising out of that evidence. It afterwards transpired from the speech of the right hon. Gentleman the Member for Bridgeton that these charges arose from the action of the manager Conacher, who, the day before Hood was coming up to give evidence before the Committee, wrote to the authorities of another railway asking them to rake up some offences that were several years old and that that Company had charged against Hood. That shows the insidious and indirect methods adopted by some to shield themselves and to do injury to others. I consider that those expressions of these gentlemen, so far from being an ample and full apology were an emphasising of their original offence, were an additional insult to this House, if it be an insult at all to commit a breach of the Privileges of this House, that they should stand up one after

would do it again if occasion arose. And they had no word of regret to express for the injustice they had committed and the grossly unfair way in which they had got rid of their employee for doing his simple duty. The case is even worse than that, because the hon. Member for Stretford Division said no word implying that they regretted what had been done by them to their servant. And when it came to their champion in the course of the Debate, the hon. Member for Durham City, to speak in their defence, he proceeded to do so in the most unfair and most partial and biased speech. In that speech he went far beyond what was in any sense required; he proceeded, in a long tirade against Hood, to blacken his character. The Directors having deprived the man of his position, their champion gets up in the House and, so far from expressing the least regret, proceeds in a long tirade against the man, in order to prove that he was a thief and a scoundrel, or something worse. I think that is a very great shame. Unfortunately it is not open to us to move any further Amendment; but if opportunity had offered I would have been glad to move that this man Hood, the ex-stationmaster, who has been vilified by a Member of this House, should be summoned to give his own account of the matter at the Bar of the House. We have heard his accusers, and he has been outside perhaps wronged for life without the possibility of saying anything except at second-hand by hon. Members who may be willing to espouse his cause in this House. The hon. Member and his colleagues stand up with brazen effrontery; they have no word of regret or repentance to express, and then through their friends in this House they proceed to vilify the victim of their tyrannical conduct. What we have to do is, if possible, to protect labouring men who may be summoned before Royal Commissions or Select Committees of the House from fear of the consequences of their bold and truthful demeanour before these Commissions or Committees. I was astonished at the puerile argument to which the right hon. Gentleman lent himself when he asked us to accept, as a sound argument, that no

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harm would be done because this Committee had decided that no further witnesses were necessary, and, therefore, no further witness could be deterred from giving evidence in the future. The right hon. Gentleman knows that there are many other Commissions and Committees, such as the Commission on Labour and the Committee on Mining Royalties, and he knows perfectly well that the effect of action such as the Directors of this Company pursued if not summarily dealt with by some action of this House will reach far into the future. And it is for the purpose of protecting those who may be concerned in giving truthful evidence on behalf of the oppressed and down-trodden of this country, and on behalf of those men who are concerned in any particular inquiry, that we demand that the strongest steps should be taken compatible with the dignity of this House, and compatible with the exercise of the undoubted authority which this House possesses. I believe it is possible for this House to proceed not only by way of admonition, but also by way of reprimand, and if the House thought that was not a severe enough course it would be possible to proceed by way of fine or actual imprisonment. That course of action has not been adopted for some considerable period, but I feel certain if it could be adopted it would be the most salutary course which could be taken by us on this occasion. As to the hon. Member for Stretford and his colleagues, I do not do them injustice when I say they will not feel the admonition which may be passed upon them. But I hope they will feel that it reflects no credit upon them. But what we want to see is what the effect will be upon the labouring classes who are most directly interested in this matter, and whose interests we have to protect for the future. And I am quite sure this will be the general feeling amongst men who may be required on future occasions to give evidence, that if nothing more is done by this House to mark the condemnation of the Members of this House of the action of those Directors, the men outside will say, "What does the House of Commons care for the suffering

caused by the oppression and tyranny exercised by our employers over us; we are marked men whenever we give evidence in our own interest which is against the interest of the employers, and we will not risk the lives and happiness of ourselves and families by subjecting ourselves to any danger or risks in giving evidence in the future." If instead of merely admonishing these gentlemen we were to take a further step and censure them, or inflict a pecuniary fine, that would restore confidence in those whose confidence in our proceedings has been so rudely shaken. That is the course I should like to see adopted. I think it would be a better course than the very feeble attempt that the right hon. Gentleman is making to sustain the Privileges of this House by the Motion he has made. And I think it would be a better and more salutary course to censure those gentlemen even than to hand them over to the custody of the Serjeant-at-Arms, to be imprisoned in the Clock Tower, or Newgate, or Holloway. If you did that they would become the same as prisoners under the Coercion Act in Ireland, and I would not be surprised if after a short incarceration in the Clock Tower they were received with open arms and processions, and banquets were organised in their behalf. I am not in favour of the extreme penalty of sending these gentlemen to prison, but I do think the infliction of a pecuniary fine would have all the beneficial effect which we can obtain. In default of that action we can only vote for the Amendment of my hon. Friend the Member for the Scotland Division of Liverpool, which is to the effect that the Directors should show their contrition for the offence of which they have been guilty by compensating the victim of their somewhat high-handed and arbitrary proceedings. The point has been taken by the right hon. Gentleman the Member for Midlothian that we cannot enforce a decision of that kind. I am very sorry if it be the case that we cannot enforce a decision of that kind should it be arrived at by the House; and I am quite certain that that would be, next after the infliction of a fine, the best course we could adopt, because, if we compelled those Directors to

show their regret for what they have done by giving some compensation for the wrong they have subjected this man to, and for the way in which he has been attacked and vilified in this House, that would mark our sense of the enormity of the offence. I should like them to be summoned to the Bar for a moment, and told that either they must compensate this man whom they so grossly wronged, or receive from the House a very much stronger condemnation of their conduct. Such compensation might be very fairly combined with the suggestion of a fine, because, if they were summoned to the Bar and informed that they would be fined in the absence of giving some compensation to this man, they would be willing, rather than pay a heavy fine, to give some compensation commensurate to the injury which has been inflicted. I am quite sure a gross wrong will be done to the poorer classes of our fellow-citizens unless we show our determination to protect against such insidious acts of tyranny those who are dependent on others who have in their hands the power to wrong them.

(9.50.) MR. JAMES ELLIS (Leicestershire, Bosworth): It is quite certain to my mind that if there had not been a Committee to inquire into the hours of labour of railway servants this man would have remained a respected stationmaster in the service of the Company. He has been deprived by the act of this Board of Directors of something like £90, and what we ought to do is to leave it to the authorities to settle what this man ought to receive for the loss of £90 a year after 20 years' service. And if we cannot exact the money from the Directors of the Cambrian Railway Company, let us pay it—let the Treasury vote a sum of money to this man. It is our duty to put this man in the same position that he was in before. If this man had been a man in high position there would be no question at all on the part of the Government or of this House about making compensation for any loss which he has sustained in consequence of the evidence he has given. But, as he is a poor man, a weak and defenceless man, we ought to stand up for him far more than for a man of position.

*(9.52.) MR. SOMERVELL (Ayr, &c.): So far as the Motion which has been proposed by the right hon. Gentleman the President of the Board of Trade goes, it appears to me that it is really as far as the House can be expected to go. But I do not base my support of that Resolution on the remarks with which the right hon. Gentleman accompanied it. Those remarks appeared to me to be to a certain extent biased, and, so far as I am personally concerned, my bias goes exactly in the opposite direction. But when a question which concerns the Privilege or honour of the House is at stake, one is bound to look to a great extent to the advice tendered by the oldest and most experienced gentleman who sits on the Front Opposition Bench. And it is because of the speech in which the right hon. Gentleman as Leader of the Opposition supported that Motion that I intend to vote for it. That speech was delivered with admirable tact. There was not the slightest bias in favour of one party or another; but it was delivered with the object of showing what the power of the House was, and how far it was possible for the House to go. I have every sympathy with the Amendment which has been moved, and I must say I do think that the man Hood has been very badly treated indeed. But it has been forcibly pointed out by two right hon. Gentlemen on the Front Opposition Bench that any Amendment the House might adopt would be futile because it has not the means of carrying it out, and I feel I cannot see my way to support any Motion the House could not enforce. I may also be allowed to allude to the silence of the President of the Board of Trade. We have heard a speech from an hon. and learned Member—injudicious and ill-considered and teeming with inaccuracies, and one of those inaccuracies was that the right hon. Gentleman the President of the Board of Trade had on Tuesday stated that there were two sides on the Committee. I heard that speech, and I read it in the *Times*. What I understood the right hon. Gentleman to say was that there were two sides—the Directors of the Railway Companies and the Amalgamated Society of Railway Servants—who wished to place their views before the Committee.

When a question of this kind is discussed the right hon. Gentleman the President of the Board of Trade might have got up to correct the inaccuracy which the hon. and learned Member below the Gangway (Mr. Milvain) put into his mouth. This question is also one accompanied by some difficulty, because all the gentlemen who are summoned to the Bar are placed in the same position. I feel great hesitation as between the action of Mr. Conacher and the action of the Directors. In considering how this question ever got before the House at all we have to consider how it is that Hood got into the witness-box. It was owing to Mr. Conacher having stated in the witness-box that Hood was suspended and fined a fortnight's pay in consequence of the accident at Ellesmere, where he was stationmaster. In a subsequent portion of his evidence Conacher contradicted that statement. Hood saw this statement in the local papers, a statement gravely affecting his position, but the correction was not reported; he wrote a perfectly proper letter to the Manager, in which he gave the names of the papers and the dates of the issues, stated what was contained in them, and asked for leave to correct the misstatement before the Committee and in the papers. Conacher took no notice of his applications to give evidence, and refused him permission to correct the statement, whereas if he had said, "This report in the local papers contains statements which are incorrect, I have corrected those statements in the Committee, and I will be very happy if the correction is given to the local papers"—if that had been done you would never have heard anything about the case at all. But the next issue of another local paper came out; again there was the misstatement and no correction. Hood wrote to the Manager and received no reply at all. Hood then came up to the Committee and gave his evidence, and on the day following the Manager, who refused permission to write to the paper to correct the former inaccuracy, wrote to that very paper and said—

"With reference to the statement made yesterday by John Hood before the Select Committee on Railway Servants (Hours of Labour), I shall feel obliged if you will allow me to say I adhere to every word I said with reference to him."

It thus appears that not only was Hood not allowed to write to the paper and correct a statement which the Manager knew to be perfectly untrue; but the Manager wrote to the paper and confirmed that untrue statement. That appears to me to show bias on the part of the Manager. There is also the fact that he wrote on the very day Hood went to London to give evidence to the London and North-Western Railway to get proof of a miserable charge about the carriage of a hamper Hood sent to his son. These actions are clear and conclusive proof that the statement that Hood made that he was a marked man was perfectly true. I could give you instance after instance to show that Mr. Conacher deliberately endeavoured to give the Committee a false impression as to what occurred. I will only give one instance. Mr. Hood stated that he had certain duty forced upon him and his clerks. Mr. Conacher before the Committee said:—

"It is not true that the duty was forced upon Hood and his clerks; he offered to do it voluntarily."

and in support of the statement he produced a telegram from Hood offering to do the duty. I asked Mr. Conacher if that was the first communication that took place between him and Hood on the subject, and he answered "Yes." But he had in his possession at the time, and he produced, a letter which showed that he had first ordered one of Hood's clerks to go and do the duty at this station, and when that man proved to be incompetent he ordered another clerk to go, and it was only then that Hood offered to assist. So far from the duty having been voluntarily undertaken by Hood and his clerks, they were on two separate occasions ordered to do this duty. That was not acting fairly and honestly by the Committee. It was endeavouring to give a false impression of the statement made. It was endeavouring to convey the impression to the Committee that neither Hood nor his clerks had been ordered to do this duty, but that the whole thing emanated from Mr. Hood as a voluntary act. We see from the evidence of the Chairman that the

whole of this matter was brought before the Board on the initiation of Mr. Conacher, and that they came to a decision in ten or fifteen minutes upon a statement by Mr. Conacher. I maintain that the man who has really occasioned this breach of Privilege is Mr. Conacher, and Mr. Conacher alone, and it is only right that he should be dealt with in a more severe manner than the others. As a Member of the Committee, and having examined most of the witnesses at some length, I have thought it right to point out to the House one or two facts which I think exonerate the Directors and the hon. Member for Stretford from anything more than carelessness in taking the representations of their Manager, and not looking into the matter themselves. I have endeavoured to show to the House that the Manager was not acting in a fair and just way; that he was influenced by vindictive feelings towards his subordinate; that he trumped-up every little matter to prejudice the man; and that it was owing to the action of Mr. Conacher that Hood ever gave evidence, was then dismissed, and that the matter ever came before the Committee at all.

(10.7.) MR. LOCKWOOD (York): Anyone who has taken the trouble to read through the evidence can have come to no other conclusion than that the hon. and learned Member who has just addressed the House rendered yeoman service on the Committee. From first to last he had the courage to tackle these men, and it is in the main owing to his indefatigable exertions that these men have been brought to book at the Bar of this House. I sympathise with the position in which the hon. and learned Member finds himself, because he says he is going to vote in accordance with the wishes of the right hon. Gentleman the President of the Board of Trade. I find myself in precisely the same position, but the only difference between us is that while he is going to vote for the Motion of the right hon. Gentleman, I intend to take an entirely opposite course. I am sure there was no one who listened to the speech of the President of the Board of Trade who did not feel that it was a

speech in palliation and in extenuation of the Directors of the Company. We have heard the apology read by an hon. Member of this House, and I do not join in the general eulogium passed on that hon. Member for one reason alone. I do not want it to go to the outside world that we are treating a Member of this House in a different way to that in which we would be disposed to treat persons who are not Members of this House. We heard the apology read by the hon. Member. The Chairman of the Company added not a word to the apology. The Manager of the Company stood mum at the Bar of the House. We heard from Mr. Buckley that he wished to join his voice to the apologetic voice of the hon. Member for Stretford. A Committee of this House have found that these men have taken a course which is likely to deter working men from coming forward to give evidence. These men, in making their apology, have asserted that they had no such intention, and that has been accepted by the right hon. Gentleman the President of the Board of Trade and the right hon. Gentleman the Member for Midlothian. But when the President of the Board of Trade came to deal with his case he proceeded, as far as he possibly could, to make a speech in defence of the men who had pleaded guilty at the Bar of the House. It is true, when the right hon. Gentleman came to deal with certain counts of the indictment, that he pronounced it to be a very serious matter, but again we had extenuation and assurances that this was an evil that had been wrought by want of thought more than by want of heart. I entirely disagree with the right hon. Gentleman. His speech has been, to my mind, so eminently unsatisfactory that I cannot vote for the Motion. We have had an Amendment moved, but we are told it is an Amendment to which no practical effect can be given by this House. I accept the Amendment for this reason, that it deals with this offence in the spirit in which it ought to be dealt with. It recognises the enormity of the offence, and there is no such recognition in the Motion of the right hon. Gentleman. Is not this a matter that ought to be

Mr. Lockwood

looked upon seriously? I agree with the hon. and learned Gentleman opposite, that if we are to distinguish between these persons, it is to the Manager that we ought to ascribe the greatest amount of blame. But they stand charged together; they are dealt with on the same terms by the Report of the Committee. What was their conduct? How was it that this man Hood was called on to give evidence at all? We find that certain things are laid to his charge which never have been laid to his charge before. Inaccurate statements are made by the hon. and learned Member for the City of Durham, who made an attack on Mr. Hood. I do not understand that the hon. and learned Member, when he was face to face with Mr. Hood in the Committee Room, made any criminal charge against him. I would ask my hon. and learned Friend whether, on reflection, he would not come to this conclusion, that if he thinks a criminal charge should be made against this man it would not be fair to make it to his face, instead of behind his back?

MR. MILVAIN: It was made to his face when he came before the Directors of the Cambrian Railway Company, and was asked to justify his evidence.

MR. LOCKWOOD: I beg to differ from the hon. and learned Member. I have read the evidence very carefully. I was not dealing with what any of the Directors had the courage to do. I was referring to what my hon. and learned Friend himself had done, and I want to know where he took upon himself the responsibility of making a criminal charge against Hood? Do not let him put it upon men who stand at the Bar of the House; they have enough to answer for. Let the hon. and learned Member point out to me any portion of the evidence in which he had the courage, when he was face to face with this man, to make a charge of criminality against him. Were the Directors prepared to make such a charge? If they were, let them bring it. Hood is prepared to meet any such charge, and I hope for the sake of his pocket the Directors will follow the advice, for whether we compensate him in this House or not, if

anyone is foolish enough to initiate criminal proceedings against Hood he will be amply recompensed in heavy damages for malicious prosecution. Let us consider the conduct of these persons at the Bar. In 1889 there was a dispute about a hamper and 1s. 7d., and somewhat strong language was used in the correspondence between Hood and other officials connected with the railway. On the 16th July Mr. Hood was going to give evidence before the impartial and learned Gentlemen on the other side of the House. On the 15th July Mr. Conacher writes to Mr. Birtwhistle about the hamper and the 1s. 7d. which happened in 1889—

“Please send me all the papers relating to the hamper.”

That was before he knew or heard one tittle of the evidence of Hood. Hood had written to Conacher asking leave to give evidence, and he made other requests. The other matters are dealt with, but there is discreet silence in the answer with regard to the permission asked to give evidence. Hood comes and gives his evidence, and on the 7th August he is dismissed. On the 30th September he is brought before the Court of Appeal. I think from what I have seen of this Court of Appeal that the hon. Member for the Stretford Division of Lancashire must have acquired his judicial experience on the Continent, because the way he addressed the prisoner reminds me very much of the accounts one sees of judicial proceedings in France. I think it was the right hon. Gentleman the Member for the Bridgeton Division of Glasgow who told us how this opportunity for justification was in reality merely an opportunity for repeated accusations and interruptions. Remember this when dealing with the men at the Bar, whether this is a case for palliation or extenuation. Hood is brought before his accusers, but precious little opportunity does he get for explanation. No, Sir, the hon. Member for the Stretford Division, when Hood is brought before the Directors, does not accuse him of gross neglect of duty; but, in effect, he is told that he had better say the replies

to the Select Committee given in the way he did were false, which meant that if Hood went down on his knees before this almighty Board of Directors, apologised, and withdrew the statements, they would pardon him. Is that the way Committees of the House are to be treated? Is that the way we are to have working men coerced by the people to whom they look for their daily bread? If this is to be a precedent for the conduct of masters over the men they employ, then you may give up your Labour Commission and every other inquiry where working men are concerned, for you close every avenue through which truth can be ascertained. Then when you get this gentleman before the Committee the question arises, Why has this man been dismissed? If we are to judge of the *bona fides* of these gentlemen, let me recommend hon. Members to look at the process of toothdrawing which has to be resorted to in the Committee to ascertain from Mr. Conacher, or Mr. Buckley the Chairman, why this man had been dismissed at all. Conacher is the first witness. He deprecates the suggestion that Hood was dismissed because of his evidence. “I cannot tell you,” he says, “I had nothing to do with it. It is the Directors. It is Mr. Buckley. Wait till he comes.” When Mr. Buckley comes, then he fences for column after column with the somewhat astute examination of some Members of the Committee. Let me read you the cross-examination, not by a hostile Member, but by the Chairman of the Committee, who was endeavouring to ascertain how it came about that this man was dismissed. The House must hear this and judge of the guilt of these men. If this was a mere mistake then treat the Directors with leniency, but if it was a flagrant case, do not let us be afraid to deal with these men. This is the cross-examination of Mr. Buckley who Conacher told the Committee would be able to say how it came about that Hood was dismissed.

“I want (said the Chairman) to ask you some questions about the first meeting at which Mr. Hood was dismissed. Who brought the case before you?—The case was brought before us, of course, by our Manager in the

first instance, by Mr. Conacher. He brought all these cases before us with very great reservation. I recollect his reluctance to say very much about it. He said—"Some cases here require your attention, and I wish you to deal with them as you think fit, quite independently of me."—What did he bring before you in reference to Mr. Hood?—I think there was this case of Thomas on that occasion, and this case of Mr. Hood, cases of men who had certainly been connected with giving evidence here. But what did he bring before you with reference to Mr. Hood?—Of course, I knew beforehand what was going to come up before the Board. Mr. Conacher always acted to a certain extent under my instructions in matters which were to be brought forward or left out at the Boards, if they were not ready for discussion, and in this case of Mr. Hood's the matter was brought before the Board, and it was brought before the Board after considering not only the evidence but the antecedents of Mr. Hood.—But what was brought before the Board?—The question of Mr. Hood's conduct.—In what way?—In relation to the Company, and the question primarily of his fitness and trustworthiness for an office such as that of agent for a station of the Company.—But what had Mr. Hood done which necessitated the raising of that question?—Mr. Hood had acted in a manner which we thought, at all events, was not trustworthy towards his employers.—In what way?—I will say in what way. First of all, sending us in what we then discovered for the first time (it was discovered about that time) to be a false pay sheet. This was only discovered after Mr. Hood had given his evidence here."

And so it was that this man fenced, rather than taking the position which the Directors are now anxious to make us believe they honestly took, now that they throw themselves upon our mercy, and ask us, although they have done this, to let them off as easily as possible. Let me return to my hon. and learned Friend (Mr. Milvain) who made an attack upon Hood, which I hope by this time he regrets. The hon. and learned Gentleman shakes his head, but I hope, on reflection, he will regret. Let me put this to my hon. and learned Friend. He says that the evidence of Hood was inaccurate, and he has charged him with making false statements, knowing them to be false. Was Mr. Hood the only man who made mistakes in his evidence? Conacher, whom my hon. and learned Friend is anxious to champion, made some very serious mistakes. First of all, he stated it was not true that Hood had been suspended for signing a memorial in favour of Humphreys. It was a serious thing to suspend a man for a

fortnight because he attached his name to a memorial in aid of a fellow-workman. I can well understand Conacher not wishing the Committee to believe that he had done such a thing. Conacher forgot that he recommended the Directors to dismiss this man. It is put in a question by the right hon. Gentleman the Member for the Bridgeton Division, in which, when addressing Buckley, he pointed out that Conacher, although he denied that he recommended this dismissal, afterwards, on being asked at the meeting whether Hood ought to be kept in the Company's service, said he told the Directors he ought not. I do not accuse Conacher of perjury because of this. It is a mistake, and that is all that can be alleged against Hood. That there may have been some inaccuracies in his evidence may be true, but that he has been guilty of fraud or lacking in *bona fides* I challenge any hon. Member who reads this book (the Special Report of the Select Committee on Railway Servants Hours of Labour) to pronounce an adverse opinion. The hon. Member for Camborne said he wished Hood was here to answer this charge. The hon. Member said it was admitted that Hood could not come here to meet the charge. I think it is only fair to Hood that the attention of the House should be called to a letter written by him, and which will be found in the Appendix 3. It is included in the Report. I think the concluding words of that letter should, in justice to this man, be read and recorded in this Debate. After dealing with the question of pension, he says—

"This is a cruel and unjust charge, and I can only say that never in all my life have I made out a false pay sheet."

I have pointed out what I consider the great element in the case against these Directors. I find no adequate expression of opinion by right hon. Gentlemen on the Front Bench below me, and, much as I regret it, I am not able to take their advice.

(10.32.) **SIR J. PEASE** (Durham, Barnard Castle) : Having sat patiently through nearly the whole of the long inquiries on this Committee, I desire to make a few observations on the present

position of the case. I regret that I have not that clearness of position which the hon. Member for the Bridgeton Division, the hon. Member for York, and the hon. Member for Durham appear to have. I gave thanks during that Committee that it had never been my lot to sit under such a Chairman as that of the Cambrian Railway Company. The hon. Member for York and the hon. Member for Durham—whose ability to digest evidence I would not for one moment deny—have formed very different opinions, and I wish I could form as strong an opinion as either of them. I had all the documents through my hands, and more confused management, more unjustifiable working, and a more confused Board I think it impossible to conceive. That confusion is rendered greater, if possible, by the numerous lucid speeches made on the evidence in the case. It seems to me, after a careful study of Sir Erskine May's book, that there are two special precedents which ought to actuate us in looking at this question. One dates back to 1728, when Sir William Rich, a prisoner in the Fleet, was brought before a Committee of this House, sitting on Gaols, in order to give evidence. He was taken back to the Fleet, and the Governor, Mr. Pembroke, loaded him with leg-irons and handcuffs, and he endured great hardship and suffering. The House came to the conclusion that that was a breach of Privilege, and Mr. Pembroke was ordered into custody on the 23rd of the month, and on the 8th of the following month I find an order that he was to be brought before the Committee on Gaols as often as that Committee might desire. I can find in the Journals no order for his discharge, and for all I know he may be in the Clock Tower now. The other case is more modern, but also dates back to the last century. There the House declared it was a grievous and heinous offence against the Privileges of the House to call to account or censure a witness who had given evidence before a Committee of this House. It appears to me that these Directors have been guilty of breach of Privilege in both respects. Their conduct toward stationmaster Hood in examining him in that rough-

and-ready, and, as it has been described, bullying manner, was calculated, no doubt, quite as much as by leg-irons and handcuffs, to prevent other railway servants giving evidence before the Committee. The other offence of which they were guilty was no doubt during that interview when they censured him for the evidence he gave. If I were asked to say Hood would not have been properly discharged for the irregularities if he had not given the evidence, I should say he was deserving of discharge, but I do not think I should go so far as to say I would have discharged him myself. This is one of the cases where leniency and discipline would have been carried out by moving him to some other place where he might have worked out for himself a rather better character than he seemed to bear in connection with the station mentioned. I very much doubt his character, but for the consideration of the question before the House we may assume that it was a perfect character. We have all come to the conclusion that there is a grave breach of the Privileges of the House, and the question is, how are we going to act in order to vindicate the position of the House, and to enable other witnesses to come before Committees without being in danger of losing their situations, or being in any way bullied by any Board of Directors? If we take the Resolution of the right hon. Gentleman opposite, it seems to many of my hon. Friends that we do not express ourselves strongly enough, and the hon. Member for the Scotland Division has added words which the hon. Member for York says he can accept. It is very difficult for me to accept those words. There is an old proverb in Yorkshire which says, "It is no use showing your teeth unless you are prepared to bite." We cannot ask the Directors to re-instate the man. Then are we going to fine them? The right hon. Member for Midlothian says you cannot fine them. Are you going to lock them up? That is logical, and had better be moved by those who so desire to amend the Resolution. That logically follows the precedent of Mr. Pembroke. In the meantime, I do hope the House will

come to some such conclusion on this question, whether we accept the Resolution of the President of the Board of Trade, or whether we amend it, as is logical and practical, on this occasion. The proposal to exact compensation when we have no power to do anything of the kind seems to me to be below the dignity of this House, and the other alternative, that the stationmaster should be re-instated, no one evidently desires to support. If these Directors had compensated this man, we should have had very little to say, but they have very unwisely stuck to the line of action they at first took; but I am not prepared to support the Amendment, and I have, therefore, no alternative but to support the Motion of the President of the Board of Trade.

(10.41.) MR. PICTON (Leicester): If I am in Order, of which I am not certain, I should like to move an Amendment to the Amendment. I wish to move to leave out all the words after "that," up to and including "otherwise," so that the Amendment would read—

"And declines to regard the Directors as having purged their contempt until they have compensated," &c.

The object is to leave out the suggestion that the man should be re-instated, and I ask you, Mr. Speaker, whether I should be in Order?

MR. SPEAKER: It would be in Order.

MR. PICTON: Then I shall be very glad to move this further Amendment. We have two propositions before us. The first is that of the President of the Board of Trade, which is to the effect that these gentlemen shall be brought up and admonished by you, Mr. Speaker, and I am quite sure that any admonition you may address to these gentlemen will make a very profound impression on them. But I cannot help thinking that you, as the voice of the House, will necessarily be influenced in your admonition by the apparent feeling of the House; and it strikes me that if the Resolution is left simply as it has been moved by the right hon. Gentleman, it will not sufficiently express the sense entertained by a very large, important, and representative portion of this House, that a very grave

wrong has been committed in tampering with a witness who came up before a Committee of this House. I cannot too deeply regret that ancient usage compels us to speak so much of the Privileges of this House. It is not the Privileges of the House we are dealing with so much to-night as with the rights of the people of this country. In old times undoubtedly the Privilege of this House was a kind of abstraction representing the rights of the commonalty of this country to have justice done to them notwithstanding the preponderance of powers that were very formidable in those times, but are not so formidable now. But those times are gone, and the phrase "the Privilege of this House" has a somewhat invidious meaning, that it has taken upon itself some special rights that are not allowed to other subjects of the Queen. What we really mean is that this House stands as the guardian of the people of this country; and if we are to have gentlemen who have committed a grave offence against the people coming up to this House and being allowed, after making an apology such as we have heard this evening, to go otherwise scatheless away, I want to know what security the poor man will have hereafter that he can give his testimony before a Committee of this House without suffering for it? This man Hood has lost his situation. He has obtained another one. I am told that he has taken the position of agent to a Liberal Unionist organisation. (Laughter.) I am glad to see that the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) joins in the cheer at the promotion of Mr. Hood. At any rate it is clear that Gentlemen on this side of the House, and in this quarter of it especially (below the Gangway), have no prejudice in the matter. We are judging the case quite impartially and regardless of any Party consideration, and I only wish that all Party considerations could be entirely eliminated from the issue. Clearly our only object is that witnesses in future, coming before Committees of this House, should feel that their positions will be safeguarded by this House. But how can that be the case if a record like this, which has come to us in a

Sir J. Pease

Special Report of the Committee, goes forth to the world with no stronger comment than is afforded by the Resolution of the President of the Board of Trade? We find in the evidence with respect to the meeting at Crewe between the Directors of the Cambrian Railway and Mr. Hood this question—

"The Chairman: Are there any other points you wish to make statements upon, Mr. Hood?"

I wish hon. Members would give attention to what I consider the most pathetic reply—

"I can only say I very much regret going before the Committee. (He means the Committee of this House.) But I feel the matter deeply, and I hope the Directors will not dismiss me."

Is that the position in which a man should be placed who has given honest testimony according to the best of his ability before a Committee of this House? He is reduced to say before these men—

"I can only say I now very much regret going before this Committee."

Is this House prepared quietly to hear that said by witnesses coming before the Committees of this House? Are they only to throw themselves upon the mercy of the men they have offended by coming before the Parliament of their country? I think this would not only be lowering the position of this House, but it would be an injury to the people of this country suffering under grievances which can only be redressed by those people coming before this House, perhaps to the offence of their employers. If he had moved that the gentlemen who came to the Bar should be reprimanded by you, I should have thought it would be more adequate, because it would be a censure upon them; it would be realised by all their countrymen, and they themselves would have felt it more deeply. But I confess myself it is much less an offence against this House than against the rights of Englishmen through this House. Much less offences have been visited in times past by imprisonment. I am not in favour of coercion in this country or in Ireland, and, therefore, I desire to avoid imprisonment as much as possible; but I wish that the

Resolution proposed had been more adequate. I do not agree with the idea of endeavouring to re-instate Mr. Hood, because I think it would be a very uncomfortable position for him to occupy. But I would suggest that we should not recognise the repentance of these gentlemen as adequate unless they compensate in some way Mr. Hood for wrong that has been done him. I therefore beg to move an Amendment to that effect.

Amendment proposed to the proposed Amendment, to leave out from the words "they have," to the end of the Question, in order to add the words "compensated John Hood."—
(*Mr. Picton.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

(10.53.) MR. CRAWFORD (Lanark, N.E.): As a Member of the Committee I may be, perhaps, allowed to say a few words. The question is one of considerable difficulty, as most of the speakers on this side acknowledged; and I agree most humbly and deferentially with the right hon. Gentleman the Member for Midlothian subject to one condition: that the Motion proposed by the President of the Board of Trade might have been adequate. But there is one point which I must call the attention of the House to: I must express my regret, as my right hon. Friend the Member for the Bridgeton Division expressed his regret, that the speech in which that Motion was introduced was in my view so entirely apologetic for these men that have been brought before the House that if this Resolution is to be passed upon that Preamble these men might pass from the House with a feather in their caps rather than with any feeling that they have incurred the censure of this House. That, in my opinion, is the origin of the discussion which I think many of us have rather felt to be too long. I think we should have come to a unanimous conclusion if the Chairman of the Committee had not introduced his Motion in what, to my great and sincere regret, I must describe as a very one-sided speech; because I entirely and warmly concur

with my right hon. Friend the Member for the Bridgeton Division when he said that the right hon. Gentleman presided over this Committee, whose Sittings have now extended over two Sessions, with the utmost fairness and impartiality. And that increases my regret, which I cannot conceal, that I did not think his speech was calculated to bring the House to a unanimous conclusion, because it is obvious he might have anticipated what has happened on account of this man being dismissed from his employment for giving evidence before a Committee of this House was likely to arise as it has arisen, and that it was likely to arouse, as it has aroused, a very strong feeling on these Benches. It is not necessary to say that the man was a perfect character; because many men in his position would not stand the test if subjected to strict examination. Now that the question has been forced upon the House, I feel it my duty to say that the man was most thoroughly ill-used. He was ill-used by these Directors. If the man's dismissal is absolutely justifiable it may be that no breach of Privilege of the House has been committed at all, because that is a thing which would not deter other witnesses from giving evidence before a Committee of this House. But from the turn this discussion has taken I have no hesitation in saying that these Directors behaved most shamefully towards him. They resolved to crush him; they took a spite against him; they raked up everything they could against him. At the same time, I quite feel that it is a very unwise and doubtful policy on our part to enter upon any course which the House has not full power to carry out. Except for that reason, I should have been very willing to assent to the proposal made by the Chairman of the Committee and accepted by the right hon. Gentleman the Leader of the Liberal Party. I think the proposal has been tenderly treated on both sides of the House. That is unfortunate. I think it is calculated to produce a wrong impression on the public of the view we take of the case; and accordingly, if the hon. Member for Leicester goes to a Division, I shall

Mr. Crawford

feel bound, with some reluctance, to follow him into the Lobby in support of his Motion.

(10.57.) Mr. PHILIPPS (Lanark, Mid): An hon. Member has asked if Mr. Hood, having got employment as an election agent for the right hon. Gentleman the Member for West Birmingham, could be said to have received compensation? That might be so, except for the fact that the General Election is not very far off; and, under these circumstances, the post of Liberal Unionist agent can hardly be considered permanent compensation. But I am sure many hon. Members on the other side of the House feel just as keenly as we do on this side of the House that this poor man ought to have compensation from someone or other. My hon. and learned Friend the Member for York City suggested that if the Directors of the Cambrian Railway would only take the advice of the hon. and learned Member for the City of Durham they would bring a criminal charge against this man, and that Mr. Hood might then have his compensation in the form of an action for malicious prosecution. I want to point out another way, which I think an almost infallible way, for securing Mr. Hood adequate compensation for the loss of his situation. I am glad to see the hon. and learned Gentleman the Member for the City of Durham in his place. He takes advantage of his position in this House to say that, from his knowledge of the evidence, a criminal charge might have been brought against Mr. Hood. He knows what the position is; he is a lawyer, and he knows that for what he says in this House he is covered by Privilege of Parliament, and Mr. Hood cannot make him responsible. The hon. and learned Member for Durham should repeat out of the House what he has said in the House to-night against Hood, and then Hood would be able to obtain compensation in the shape of damages for slander. The hon. Member should have the courage of his convictions, and not shelter himself under his privileges as a Member of Parliament, and then he would give the poor man a chance of obtaining a remedy.

MR. MILVAIN: I would point out to the hon. Member that Hood has a remedy, for he can bring an action for wrongful dismissal.

(11.3.) MR. MAC NEILL (Donegal, S.): I will intervene for only a short time in this Debate. As a Member of the Committee, I think I ought to say something with regard to this matter. I have come to the conclusion that this poor man Hood was dismissed simply because of the evidence he gave before the Committee with reference to the hours of labour on the Cambrian Railway. The hon. and learned Member for Durham (Mr. Milvain) has shown himself to-night in his true colours. He seems to have been holding a brief against this unfortunate man. The hon. and learned Gentleman should have the courage of his convictions, as my hon. Friend (Mr. Philipps) says, and not shelter himself under his Parliamentary privileges. I hope that he will repeat outside the House what he has said inside these walls against Hood, and that Hood in proceeding against him will not employ counsel, but act in his own behalf. Let us now come to the evidence. The Directors said to this man Hood—

"You must understand that your dismissal is not due to your giving evidence before the Select Committee. You were summoned to give evidence, and you must now address yourself to the question of justification of the charges you have made."

These gentlemen, therefore, constituted themselves a Court of Appeal—a sort of Punch and Judy Star Chamber—with regard to the evidence which was given before a Committee of this House. If this kind of thing is to continue Parliamentary Privilege and evidence given before the Committees of this House will be of no value at all. I always considered that when a witness went into the witness chair in the Committee Room upstairs he was absolutely protected; and I hope that the House will vindicate its Privileges in this matter. If this goes on it will be impossible to say that there is not one law for the rich and another for the poor. The right hon. Gentleman the Member for Derby has stated with his usual knowledge and accuracy that we cannot compel the

Directors of the Cambrian Railway Company to compensate this man Hood. That is true, but the right hon. Gentleman and every lawyer knows very well that it is possible to make arrangements whereby compensation can be given. In former days Privilege was a very trustworthy weapon, but I ask right hon. and hon. Gentlemen on both sides of the House whether it is at all valuable in the circumstances of the present case. Certain gentlemen come forward and make a miserable kind of an apology in which they justify their conduct, saying they were acting as they did in the public service. How can that in any way atone for their behaviour? The hon. Member for Stretford showed by his attitude and gestures that he is determined to persevere in the course of action he has adopted towards this man. Then up started the right hon. Gentleman the President of the Board of Trade and proposed a Resolution which fitted in with the apology in a very extraordinary manner. It almost seemed as if the Resolution and the apology must have been constructed at one and the same time. Is it likely that in vindicating the Privileges of this House we should allow it to be treated in this way? Judging from the apology and from the Resolution, the apology and the Resolution were constructed together—they bear a remarkable family likeness. There has been no atonement on the part of these men, no repentance; they vindicate their conduct. They have been convicted of intimidating witnesses; they have deprived Hood of his means of livelihood; and, that being so, I say that the Privileges of this House have not been vindicated. I shall certainly vote for the Amendment of my hon. Friend.

(11.14.) MR. A. J. BALFOUR: I do not rise to continue the Debate. I rise simply to appeal to the House to come to a decision on the question. I am sure that every hon. Member, whether he agrees with the Resolution proposed by my right hon. Friend, or whether he agrees with the Amendment, must feel that every view of this subject has been adequately discussed. If the Resolution of my right hon. Friend is carried

it will be the duty of Mr. Speaker to admonish these gentlemen who were called to the Bar this afternoon; and I think it will be only proper that the proceedings of the House on this question should be concluded this evening in time to allow Mr. Speaker an opportunity of carrying this duty out.

MR. HUNTER (Aberdeen, N.): I do not believe there is any hon. Member in this House who believes—and I doubt whether there is any hon. Member who is capable of believing—that Hood would have been dismissed from his office if there had not been this inquiry and this Committee, and I will not enter into any metaphysical inquiry as to the state of the mind of the Directors; but one thing is obvious beyond the possibility of doubt, that Hood was dismissed because he gave evidence. Now, in what position does the House stand? It is admitted by the Directors that they committed an offence against Parliamentary law. I go further, and I say that they have pleaded guilty to a social crime. I know of no crime which a rich man can commit which is more grievous, more serious, more anti-social, more baneful in its consequences, than depriving a working man, without just reason, of his means of livelihood. That is the crime to which these men have pleaded guilty. Well, Sir, I ask this question: What is to be the punishment which they ought to undergo? By immemorial usage, this House has the power to send these men to prison. Why, I ask, should they not be sent to prison? There is only one reason, and only one advanced, and that is that they are wealthy gentlemen, eminently respectable, and that it is not to be supposed that they would voluntarily and intentionally commit such an offence. But, Sir, they have committed an offence, and they have given no compensation or equivalent. I quite admit, if the Directors had come forward in this House and not only apologised in words, but apologised in deeds and satisfied this House that Hood had been compensated for the injustice and injury done to him, then I should have agreed to the Motion of the right hon. Gentleman the President of the Board of

Mr. A. J. Balfour

Trade. But they have made no compensation—they have made no restitution. I believe that in the Roman Catholic Church, before absolution is granted, they require the sinner to make restitution; they have not made restitution, and everybody must see that the whole proceedings of this House, if they do not end in the imprisonment of these Directors, will be an absolute farce, an idle ceremony, an insult to the working classes, and a menace to the Privileges of this House. I regret more than I can express the speech of the right hon. Gentleman the Member for Midlothian. He allowed his generous feelings to run away with him, and looked too much to the position of the Directors, who on other accounts might deserve our sympathy, and too little to the position of the man who had been dismissed. What was the gist of the right hon. Gentleman's speech? It was—"I am very sorry for Hood, but we cannot do anything to help him." Well, the House of Commons is sorry, but it refuses to take the sword out of the scabbard. Why cannot the House of Commons give redress to Hood? Because the House of Commons being a House of rich men will not; they cannot because they will not. Do not let hon. Members opposite deceive themselves: the working classes of this country are intelligent enough to see through this hollow sham, and are sufficiently manly in their disposition to resent keenly and bitterly the insult which has been put upon them.

(11.25.) MR. A. J. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

DR. CLARK (Caithness) (speaking seated): May I ask you, Sir, if, before you put the Main Question, it will be in Order to move an Amendment which I had intended to move in reference to imprisonment?

*MR. SPEAKER: No, that would not be in Order; the House will proceed to a decision on the Main Question.

(11.26.) The House divided:—Ayes 247; Noes 186.—(Div. List, No. 72.)

Question put accordingly, "That the words proposed to be left out stand part of the proposed Amendment."

The House divided:—Ayes 245; Noes 189.—(Div. List, No. 73.)

Mr. A. J. BALFOUR claimed, "That the Question on the Amendment be now put."

Question put accordingly, "That the words 'and this House will not deem that the said Directors and Manager of the Cambrian Railway have purged their contempt until they have re-instated John Hood in the position which he occupied before giving his evidence before this House, or otherwise compensated him,' be added at the end of the Main Question."

DR. CLARK: Can this be amended?

*MR. SPEAKER: No.

(11.53.) The House divided:—Ayes 159; Noes 274.—(Div. List, No. 74.)

Mr. A. J. BALFOUR claimed, "That the Main Question be now put."

MR. ROBERTSON (Dundee) (speaking seated): May I ask you, Sir, whether the Main Question can now be put without a previous Motion being carried?

*MR. SPEAKER: The Motion for putting the Question being carried applies to the Questions put from the Chair. This Question with the others has been put from the Chair.

MR. T. M. HEALY (Longford, N.): Does it follow that the Question is put on the Motion of the right hon. Gentleman?

*MR. SPEAKER: It is claimed and put if allowed. I allow it.

Main Question put accordingly. (*Loud cries of "No."*)

DR. TANNER (Cork Co., Mid): No humbug!

*MR. SPEAKER: Order, order! With regard to the expression just used, I refrain from naming the hon. Gentleman who used it, because on an occasion such as this I do not wish to take any strong measures. I hope the House will behave to the end in a judicial spirit.

(12.10.) The House divided:—Ayes 349; Noes 70.—(Div. List, No. 75.)

Resolved—

"That this House, while recognising that Mr. John William Maclure, Mr. James

Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher, have disclaimed any intention to deter any railway servant from giving evidence before its Committee, and have expressed their unqualified regret for having unintentionally infringed any of its Rules and Privileges, is of opinion that the said Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher have committed a breach of the Privileges of this House in their action towards John Hood, and that they be called in and admonished by Mr. Speaker for the breach of Privilege that they have committed."

Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher were accordingly called in, and Mr. Maclure standing in his place, and Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher, standing at the Bar, were admonished as followeth by

MR. SPEAKER:

"Directors of the Cambrian Railway Company: the House has had under its consideration the case which has been presented to it, and I am now directed to inform you of the Resolution at which it has arrived. I will read to you the words of that Resolution:—This House, while recognising that Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher have disclaimed any intention to deter any railway servant from giving evidence before its Committee, and have expressed their unqualified regret for having unintentionally infringed any of its Rules and Privileges, is of opinion that the said Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher, have committed a breach of the Privileges of this House in their action towards John Hood, and that they be called in and admonished by Mr. Speaker for the breach of Privilege that they have committed."

"It now becomes my duty, as the mouth-piece of the House, and as the interpreter of its wishes, to state to you what is the opinion of the House upon your conduct. It is quite true that you have made an apology to the House for the undoubted breach of its Privileges. I need hardly tell you that a mere apology does not always cover the extent and surface of an offence; but the House has taken a lenient view in that respect of your conduct and has expressed in its Resolution its willingness to accept your apology. But that is not

all. The House has directed me to admonish you for a grave breach of the Privileges of this House. I would have you know,—each and all of you gentlemen,—that though the Privileges of this House are not to be put into operation upon any light or trivial occasion, and though the intervals are long between the periods when appeals are made to those Privileges, yet a Privilege of this House is no unreal, shadowy, or unsubstantial thing; it is what the House clings to, and what it is determined to maintain. The breach of Privilege which you have committed is, that you have by your conduct intimidated a witness before this House; that your conduct towards him is calculated to deter witnesses in giving evidence before this House or its Committees. So dear is that especial Privilege to this House, that I must remind you that at the commencement of every Session, and therefore at the commencement of this Session, on the very first day of its meeting, two Resolutions were passed by this House, in one of which it declared, ‘That if it shall appear that any person hath given false evidence in any case before this House, or any Committee thereof, this House will proceed with the utmost severity against such offender.’ The second of those Resolutions expresses the determination of the House, ‘That if it shall appear that any person hath been tampering with any witness in respect of his evidence to be given to this House or any Committee thereof, or’ (and this is the point to which I would especially direct your attention) ‘directly or indirectly hath endeavoured to deter or hinder any person from appearing or giving evidence, the same is declared to be a high crime and misdemeanour, and this House will proceed with the utmost severity against such offender.’ Those are Resolutions which are fresh in the memory of this House, and which I am surprised that those gentlemen whom I now see before me at the Bar should have so lightly infringed. It is a very grave and serious offence that you have committed. The House in its judgment and, I should add, in its mercy has decided that I should admonish you. I do most seriously admonish you, and I warn you that any repetition of this offence, for it is an offence, will be visited by this House with its very severe rebuke, reproof and punishment. A great principle has been infringed, the principle that evidence given before this House shall be free and unrestrained. I warn you against repeating an offence of this character. The offence is a very serious one, for it is no less an offence than trying, however unadvisedly it may be in certain cases, to deter witnesses from giving

Mr. Speaker

evidence before a Committee of this House, and thus to disturb and taint the very sources of truth. I believe I act, as I wish to act, as the interpreter of the feelings of this House when I seriously admonish you, and express the hope that your example will serve as a deterrent to others, and that it will also act as a warning to yourselves never again to presume to commit the like offence against the character, the dignity, and the purity of this House.”

Then Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. James Conacher were ordered to withdraw, and they withdrew accordingly.

SIR M. HICKS BEACH: I now beg to move—

“That the admonition delivered by Mr. Speaker be entered upon the Journals of this House.”

MR. T. M. HEALY: May I ask, as a point of Order, is that consequential business?

MR. SPEAKER: Yes; and I hope the House will allow the remarks which it was my duty to deliver to be entered on the Journals of the House.

Motion agreed to.

Ordered, That the admonition delivered by Mr. Speaker be entered upon the Journals of this House.

RATING OF MACHINERY BILL.

(No. 31.)

COMMITTEE.

Order for Committee read.

Mr. WINTERBOTHAM rose to move, “That Mr. Speaker do now leave the Chair.”

Mr. STOREY rose—

*MR. SPEAKER: A point of procedure arises here which is, I think, a new one. I feel it would be rather hard to insist upon the application of the technical Rule that there being no Instruction to the Committee before the House I should immediately leave the Chair. Two Notices of Instructions were placed on the Paper late last night. The hon. Member has rather complained that he was not informed of the objection to his Motion, but it is no part of the duty of the Clerk to call attention to the terms of a Notice of Motion. The Instructions are out of

Order, inas much as they are mandatory instead of being permissive; but under the circumstances I think I should be straining the Rule if I did not allow an opportunity for an Instruction to be moved. I am conscious that in so doing there may be a little unfairness to the advocates of the Bill, but the circumstances are peculiar, and I think it will be convenient if I do not now leave the Chair.

MR. STOREY: I thank you, Sir. Shall I be in Order if I move now?

*MR. SPEAKER: No, the hon. Gentleman will give notice.

MR. STOREY: I will do so at once.

Committee deferred till To-morrow, at Two of the clock.

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT (1862) AMENDMENT BILL.—(No. 188.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

PARLIAMENTARY ELECTIONS (No. 2) BILL.—(No. 91.)

Order for Second Reading upon Wednesday next read, and discharged.

Bill withdrawn.

GREENWICH HOSPITAL AGE PENSIONS.

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up and read.

Report to lie upon the Table, and to be printed. (No. 138.)

MOTIONS.

ALKALI, &C., WORKS BILL.

On Motion of Mr. Ritchie, Bill to amend "The Alkali, &c., Works Regulation Act, 1881," ordered to be brought in by Mr. Ritchie and Mr. Long.

Bill presented, and read first time. [Bill 264.]

ST. MICHAEL'S, COVENTRY (VICAR'S RATE) BILL.

On Motion of Mr. Ballantine, Bill to repeal the Act nineteen George the Third, chapter

sixty, intituled "An Act for establishing certain payments to be made to the Vicar of the Parish of St. Michael's, in the City of Coventry, for the time being in lieu of tithes," ordered to be brought in by Mr. Ballantine, Mr. Labouchere, Mr. Robert Reid, Mr. Seale-Hayne, and Mr. Cobb.

Bill presented, and read first time. [Bill 265.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

(12.42.) DR. TANNER (Cork Co., Mid): May I ask the Secretary to the Treasury why it is he objects to give the Return I have asked for of a copy of the correspondence relating to the acceleration of the mail service between Dublin and Queenstown? As a matter of fact, this is a matter of material interest to the commercial community of Cork. I am not speaking for any political section, but for the people of the City of Cork, and I ask what is the objection.

MR. SPEAKER: If objection is taken to giving the Return the question cannot be now discussed.

DR. TANNER: With all submission, Sir, I thought I was entitled to make these remarks on the Motion for Adjournment, but if I am out of Order I will at once sit down. I merely wish to say, on the Motion for Adjournment, and seeing the right hon. Gentleman in his place, that I shall be glad to know what reason there is for refusing the publication of the correspondence on this very simple matter, but a matter very important to the poor and struggling commercial community in the City and County of Cork. Why should the right hon. Gentleman object? Many questions have been put on the subject, and we receive many communications asking us to try and secure some solution of the difficulty, some remedy for this stop-gap and impossible position for business in Cork. I know we are all tired with our evening's work; but Irish Members, and notably those representing Cork, are called upon to request some distinct answer from the right hon. Gentleman beyond that very inappropriate, if I may so say, answer—that he objects to giving this Return. I think the citizens of Cork may fairly claim to know this. The House will excuse me, late though it is, if I ask

the right hon. Gentleman why it is he interferes to prevent this information being given—information desired by all sections in Cork, be they Tories, Liberals, or Nationalists?

(12.45.) THE SECRETARY TO THE TREASURY (Sir JOHN GORST, Chatham): I can only repeat what I have said at Question time—that there is no correspondence on the subject which, in the opinion of Her Majesty's Government, could be laid on the Table of the House with advantage to the Public Service.

(12.45.) DR. CLARK (Caithness): I may be allowed to say, as one of the Tellers for the minority of 70 in the last Division, that many of us, disagreeing as we did with the terms of the Motion, were prevented from moving and supporting a direct Amendment as we desired, and had no course left open to us but to vote against the Motion. We regret very much that we were unable to amend the Motion in adequate terms; and of course if the Motion had been lost we should have brought forward a Motion of a more drastic character. I only desire to say this to prevent any false impression getting abroad as to our action in voting against the Motion.

(12.46.) MR. MAURICE HEALY (Cork): May I ask the Secretary to the Treasury if his remarks and objection to the publication of the correspondence just referred to relate to the correspondence between the Post Office and the Treasury, or to the correspondence between the Post Office and the Great Southern and Western Railway Company? It may be undesirable to publish the correspondence between the two Government Departments. I can understand this may be of a confidential character, but the same objection does not apply to the correspondence between the Post Office and the Great Southern and Western Railway Company. Will the right hon. Gentleman be prepared to give that part of the correspondence?

(12.48.) SIR J. GORST: If the hon. Member will put down notice of his question I shall be prepared to give him an answer.

(12.48.) MR. CONYBEARE (Cornwall, Camborne): We put down many

questions, and do not elicit answers. I do not understand what conception of his duty the right hon. Gentleman may have when he constitutes himself judge and authority as to what is or is not desirable to place before the House in the matter of information. Upon matters of public importance we want information, and it is scarcely sufficient to be told on the *ipse dixit* of the right hon. Gentleman that it is not in the interest of the Public Service that we should have it. The Departmental correspondence may be confidential in character; but without wishing to dogmatise, I do say that it is not fair to refuse information such as would be given in the correspondence between the Post Office and the company. I wish to protest against the assumption by the right hon. Gentleman, or any Member of the Government, that such information cannot be given in the interest of the Public Service.

(12.50.) MR. T. M. HEALY (Longford, N.): I wish to associate myself with what has been said by the hon. Member for Caithness (Dr. Clark), but, at the same time, I may take leave to say that I think the terms of the admonition employed by Mr. Speaker largely made up for the inadequacy of the Resolution proposed by the Government.

(12.51.) MR. FLYNN (Cork, N.): I wish to add my opinion that in asking for the correspondence referred to just now we make a most reasonable request. We want to show the country how the South of Ireland is treated in this matter of mail service. While £19,000 is advanced for the service to the North of Ireland we ask some £3,000 for an accelerated service between Queenstown and Dublin. The Postmaster General admitted to a deputation that the request was reasonable, but he said there was a Treasury difficulty. Now, we want to influence the Treasury if we can, and to give them the opportunity to justify their action if they can. I hope the Treasury will see the importance of the matter, which we shall continue to press.

Motion agreed to.

House adjourned at five minutes before One o'clock.

Dr. Tanner

HOUSE OF COMMONS,

Friday, 8th April, 1892.

The House met at Two of the clock.

QUESTIONS.

DUNDRUM ASYLUM.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether frequent complaints have been made of the head attendant temporarily appointed at the Central Asylum, Dundrum, Dublin; whether the man had any previous experience of the duties of the office; and whether, before confirming his appointment, the claims of other officers of long service in the establishment will be considered?

*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The Inspectors of Lunatic Asylums report that there have been no serious complaints against the officer referred to. The acting head attendant has had no previous asylum experience; he has held the position of a non-commissioned officer in the Army. As I have already stated, in reply to a question, the qualifications of all candidates will receive due consideration when a permanent appointment is being made to the post.

MR. P. O'BRIEN: Is the right hon. Gentleman aware that this man has been reported for cowardice in dealing with a troublesome patient? Surely that is a serious charge?

*MR. JACKSON: No, I am not aware of that.

MR. P. O'BRIEN: But I am.

PROMOTION IN THE ROYAL IRISH CONSTABULARY.

MR. P. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the system of promotion in the Royal Irish Constabulary, known as the "P. List," is alleged to operate unfairly towards the older and more experienced members of the force who entered the Service before this system was adopted a few years ago; that since the intro-

duction of this system one-third of the vacancies have been filled by young men of short service and undistinguished in the force except that they had passed examinations in map drawing and other subjects not usually associated with the detection and prevention of crime; and whether he will cause the system to be so modified as not to tell against efficient constables of long service who entered the force before the existence of such conditions for promotion?

*MR. JACKSON: The existing promotion system in the Royal Irish Constabulary has existed for upwards of two years, and has, I am informed, worked most satisfactorily. A large proportion of vacancies—two-thirds—is given among the senior men, while a third is reserved for those, irrespective of seniority, who prove themselves specially fitted for promotion. The examination includes among the subjects tests in police duties and general fitness for command and elements of drill.

THE CASE OF DR. GALLAGHER.

MR. P. O'BRIEN: I beg to ask the Secretary of State for the Home Department whether he has yet decided to allow an independent medical man to examine Dr. Gallagher, alleged to be insane, in Portland Prison; and, if so, whether he will cause the doctor selected to be informed that insanity is hereditary in Gallagher's family?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have already twice this Session informed the House that this prisoner is reported by the medical officers to be in good bodily health and to exhibit no symptoms of mental unsoundness. There is no reason whatever for allowing an independent medical man to examine him.

RURAL POSTMAN, FOXFORD, COUNTY MAYO.

MR. P. O'BRIEN: I beg to ask the Postmaster General if he is aware that a rural postman named Michael McHale, employed at Foxford, County Mayo, has to travel 15 miles per day for wages of ten shillings per week; and whether this man is entitled, under a scale of pay fixed in 1891, to an

increase of two shillings per week, and an annual weekly increment of one shilling per week; and, if so, whether he will see that he is allowed the increase from the date the new scale of pay was issued?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): The total length of this postman's walk is 12½ miles, not 15 miles; and his work is finished by 11 a.m. every day. Not being fully employed he is not entitled to be paid on scale, as suggested; but inquiry shall be made whether any addition should be made to his wages.

MILITARY CHAPLAIN, ROORKEE, BENGAL.

MR. SEXTON (Belfast, W.): I beg to ask the Under Secretary of State for India whether the Catholic military chaplain at Roorkee, Bengal, has been withdrawn from that station after the Catholic soldiers there, and their co-religionists, had erected a church by subscription; and, if so, whether the case will be re-considered?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): My hon. Friend has requested me to say that he has no information on the subject, but an inquiry will be addressed to India.

ALLEGED POLICE VIOLENCE AT BELFAST.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether there has been any inquiry by the Inspector General of the Royal Irish Constabulary as to the circumstances under which Constable Millar of that force fractured the skull of a man named Francis Coogan, by a blow of his baton, in Belfast, on the night of the 10th ult.; and whether Coogan's life is or has been in danger?

MR. JACKSON: I shall be glad if the hon. Member will allow me to postpone an answer until Monday. There has been no Report from the Inspector General, but I have had a communication from—I think he is called—the Chief Constable of Belfast. I have called for a Report, but it is not yet to hand.

Mr. P. O'Brien

MR. SEXTON: It is nearly a month since this murderous assault. Has the Chief Constable reported at all on the case, whether Coogan's life has been in danger?

MR. JACKSON: The Chief Constable has been investigating the circumstances. I understand the injured man has now left hospital. The case has been watched meantime, but no proceedings have been taken; it was not found possible to do so while the man was in hospital.

SMALLPOX IN THE METROPOLIS.

MR. TALBOT (Oxford University): I beg to ask the President of the Local Government Board whether his attention has been called to the fact that patients have been recently removed to the hospital ships belonging to the Metropolitan Asylums Board from two houses in Shoreditch, and that, after an interval of a fortnight, in one case five children, and in the other four children, were similarly removed from the same houses; whether he is aware that in neither case were the children re-vaccinated after the first outbreak in the house, and that out of these nine children five had never been vaccinated; and whether, in view of the fact that, pending the inquiry by the Royal Commission, some Poor Law Guardians and Police Magistrates in London decline to enforce the Vaccination Acts, he proposes to take any steps to protect the Metropolis from the dangers of a serious outbreak of smallpox?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have made inquiry as to the facts, and I find that they are as stated by my hon. Friend. There have, for some time past, been occasional cases of smallpox occurring in different parts of London. I have been strongly impressed with the great importance of the Local Authorities taking the most energetic measures with the view of preventing the spread of infection when these cases occur, and in May last I wrote to the Vestry of the Parish of Shoreditch and to the several other Vestries in the Metropolis asking them specially to instruct their Medical Officer of Health in every case of smallpox which might be notified to him or

which might come to his knowledge immediately to visit the house where the disease had broken out, and at the earliest possible moment to take such measures as might be necessary to secure as far as practicable the isolation of the patient, the vaccination of any persons who might have been exposed to infection, and the disinfection of the premises, and any further action which the circumstances admitted of for the purpose of checking the extension of the disease. I am informed that the Medical Officer of Health reported to the vaccination officer the outbreak of smallpox in the two houses referred to, and that the vaccination officer immediately visited the inmates and urged them to obtain vaccination and re-vaccination. Unfortunately his warning appears to have been disregarded. I learn that an arrangement has been made for vaccination daily of urgent cases by one of the public vaccinators of the parish. With respect to re-vaccination, there is no law under which this can be enforced. As regards vaccination, I am strongly impressed with the responsibility of parents who neglect to have their children vaccinated, and of the Local Authorities who fail to put in operation the law as to the enforcement of vaccination, especially where an outbreak of smallpox has actually occurred.

CANADIAN TRADE.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for the Colonies what answer has been returned by the Imperial Government to the Address to the Crown, in September last, of the Senate and House of Commons of the Dominion of Canada, praying Her Majesty, in view of the earnest desire of the Canadian Legislature to foster and extend the trade of the Dominion with the Empire, as affording, from its diversity of climate and production, the widest prospect of rapid and practically limitless increase, to denounce and terminate provisions in certain Treaties with Foreign Powers incompatible with the rights and powers conferred upon the Parliament of Canada for the regulation of trade and commerce, and tending to produce complications and embarrassments

within the Empire; and if the same has been communicated to the representatives of Her Majesty's subjects in British North America now in Parliament assembled?

BARON H. DE WORMS: The reply is on its way to Canada, but as it is an answer to an Address to Her Majesty from the Canadian Parliament, it would hardly be proper to make it known until it has been communicated in due course to the Parliament of Canada.

SOLDIERS AT POLITICAL MEETINGS.

MR. T. FRY (Darlington): I beg to ask the Financial Secretary to the War Office if it is a fact that soldiers are not allowed to go to political meetings in uniform, and are not allowed to go out of their barracks without their uniforms; and, if so, if he will take steps to give soldiers a privilege possessed by all other voters?

THE FINANCIAL SECRETARY, WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The Regulation upon the subject of political meetings is contained in paragraph 11 of Section VI. of the Queen's Regulations, and is as follows:—

"Officers, warrant officers, non-commissioned officers, and private soldiers are forbidden to institute, or take part in, any meetings, demonstrations, or processions for party or political purposes, in barracks, quarters, or camps, or their vicinity. Under no circumstances whatever will they attend any such meeting, wherever held, in uniform."

This appears to the Secretary of State to be a most proper rule, and he is not prepared to take any steps which shall tend to weaken it.

MR. T. FRY: Do I understand that soldiers are not allowed to attend meetings in public halls without uniforms? I suppose since this rule was framed the law has been altered as to the registration of voters. Is the soldier not allowed to hear the address of a Parliamentary candidate?

MR. BRODRICK: The law has not been altered. It is impossible to allow soldiers to dispense with uniforms, and it is equally impossible to allow them to attend political meetings, wherever held, in uniform.

THE CONVICT LUNATIC HEHIR.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a prisoner named Hehir, now confined in Dundrum, became a lunatic whilst he was detained at Mountjoy Prison; whether the prison authorities were fully warned as to the man's condition while he was undergoing probationary punishment; whether he is aware that the Deputy Governor acknowledged to a prisoner that Hehir was losing his senses, and that the Rev. Dr. O'Donnell drew the attention of the Governor and the prison doctor to his condition; whether he was all the time kept in solitary confinement, and after his probation was ended was he put to weaving work alone; is it usual to put prisoners suffering from dementia to work in association, and was the custom departed from in the case of Hehir; and, if so, why; and, if Hehir is a lunatic, will he, under the circumstances, be released at an early date?

*MR. JACKSON: The General Prisons Board report that it is the case that the convict Hehir referred to, now confined in Dundrum Asylum, developed symptoms of insanity while confined in Mountjoy Prison. His case was carefully watched by the medical officer, who ordered him extra open air exercise and extra diet, both of which he received. After probation he worked at weaving in association, and was subsequently employed in the open air. The usual custom was followed in this convict's case.

EVICTIONS ON CLARE ISLAND.

MR. W. O'BRIEN (Cork Co., N.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the 19 families about to be evicted on Clare Island were last year saved from starvation by public relief, and that the land agent who is responsible for carrying out the evictions is the same person who, as Sub-Sheriff of the county, will have the right of requisitioning the forces of the Crown to assist at the evictions; and will the Government continue this gentleman in his office as principal executive officer of the law in the county?

*MR. JACKSON: I am not aware of the circumstances of the tenants referred to against whom ejection pro-

cesses have been issued. I believe the agent also holds the office of Sub-Sheriff. The appointment is made not, as the hon. Member seems to suppose, by the Government, but by the High Sheriff.

MR. W. O'BRIEN: May I ask the right hon. Gentleman, is it not a fact that the Sub-Sheriff is the nominee of the Sheriff, and has not a Sheriff again and again been removed by the Government, for example in the case of the hon. Baronet the Member for South Dublin (Sir T. Esmonde.)

*MR. JACKSON: I believe the Sub-Sheriff is appointed by the High Sheriff, but I am not aware that the Government have any power in the matter, certainly they have no voice in the appointment.

MR. W. O'BRIEN: But I have referred the right hon. Gentleman to the case of the hon. Baronet the Member for South Dublin, who was High Sheriff for Waterford.

*MR. JACKSON: Yes; High Sheriff, not Sub-Sheriff.

MR. W. O'BRIEN: The Sub-Sheriff is the nominee of the High Sheriff.

*MR. JACKSON: He is appointed by the High Sheriff.

MR. W. O'BRIEN: To save the time of the House, may I ask the right hon. Gentleman this? Is he able to give an undertaking that in reference to all these undertakings he will deal with the agent—the landlord's agent in this case—in the same manner in which his predecessor, the right hon. Gentleman the Member for Bristol (Sir Michael Hicks Beach), dealt with the agent of Lord Clanricarde?

*MR. JACKSON: I have no knowledge of the circumstances to which the hon. Member refers. I can only deal with cases as they arise. I have said I have no knowledge of the circumstances of the tenants against whom processes are issued, but I am willing to act to the best of my ability when circumstances arise requiring decision.

MR. W. O'BRIEN: Is not the right hon. Gentleman aware, is it not notorious, that the right hon. Baronet the Member for Bristol acting, as he stated, within the law, felt it his duty to remonstrate with the agent of Lord Clanricarde, and to intimate to him

that unless he showed a more reasonable spirit the forces of the Crown would be withheld from his assistance?

MR. SEXTON : It will be very convenient to the House if the right hon. Gentleman will endeavour to give a more satisfactory answer. I would ask the right hon. Gentleman whether the power to supersede the High Sheriff is not vested in the Lord Lieutenant, who is a Member of the Government ; whether he will consent to bring to the notice of the Lord Lieutenant the fact that the Sub-Sheriff appointed by the High Sheriff of Mayo is at the same time the agent for the landlord, thus acting in a double function—procuring decrees against the tenant as agent and as Sub-Sheriff executing those decrees ? I ask the right hon. Gentleman whether he will bring these facts to the knowledge of the Lord Lieutenant, with a view to the Lord Lieutenant compelling the Sheriff, under pain of supersession, to select a Sub-Sheriff who does not unite these double functions ?

*MR. JACKSON : No circumstances have been brought to my knowledge to show that any unreasonable action has been taken, any action to which objection can be taken. I should be acting beyond my powers, with the information before me, if I were to give an undertaking that I would ask the Lord Lieutenant to compel the High Sheriff, on pain of supersession, to dismiss a man against whom, so far as I know, no well-founded complaint has been made that he has acted otherwise than that of simply carrying out the law in the cases referred to. If any circumstances are brought to my knowledge that seem to demand that action should be taken action shall be taken, but it is quite obvious that I cannot in the entire absence of all information give an undertaking of the kind. I have no particulars upon which I can form an opinion or come to a conclusion that the slightest blame attaches to that officer.

MR. T. M. HEALY (Longford, N.) : I ask the right hon. Gentleman if it is reasonable that the agent should make fees in a double capacity—first, the money he will get for carrying out the evictions as agent, and then the fees he will get for carrying out the

evictions as Sheriff? Is it reasonable that the agent as Sheriff should be able to enforce the process of the law and make money out of the transaction in both capacities, thereby, as agent, having a premium for carrying out the evictions as Sheriff? I ask the right hon. Gentleman whether the uniting of these functions is not so objectionable that he will say to the Lord Lieutenant that he will allow no agent as Sheriff to carry out his own evictions?

MR. M. J. KENNY (Tyrone, Mid) : Is there not a process open to the landlord in this case by which he need not take proceedings by his agent, but could proceed by special bailiff?

*MR. JACKSON : It would not be well for me to answer questions of that kind offhand ; but if any hon. Member will supply any information he desires to lay before me I shall fully consider it ; but I cannot, without notice and without information being supplied to me in a form in which I can have time to consider it, give the undertaking asked for.

MR. SHEEHY (Galway, S.) : May I ask the right hon. Gentleman whether it is not the law that the High Sheriff is not to execute any decree which he has obtained himself as Sheriff, and whether this is not a case of a Sub-Sheriff executing a decree which he has obtained himself as Sub-Sheriff?

MR. W. O'BRIEN : I shall hope to be able to press on the right hon. Gentleman the information on the strength of which we think the intervention of the Government is necessary.

PAYMENT OF INLAND REVENUE OFFICERS.

MR. COX (Clare, E.) : I beg to ask the Chancellor of the Exchequer whether it is a fact that Inspectors of Inland Revenue when acting as collectors away from home are paid an extra allowance of from 12s. to 21s. per day ; whether expectant supervisors of Inland Revenue when acting as supervisors away from home are granted an extra allowance of only from about 2s. 4d. to 6s. 1d. per day, and out of which they have to bear travelling expenses ; whether it is true that in the summer of 1891 a Petition was

presented to the Commissioners of Inland Revenue by the expectant supervisors, pointing out their inadequate allowances as compared with the Inspectors and other public officials, and among other matters proving that they were generally performing public duties at a loss to themselves; and whether he will direct the Commissioners of Inland Revenue to consider the case of the officers of that rank, with a view towards granting them sufficient allowances?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): My right hon. Friend has asked me to answer this question. The Board of Inland Revenue have recently brought this matter before the Treasury, and it is now under consideration.

THE IRISH SCHOOL GRANT.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what amount (approximately) out of the school grant for the current year would be applicable to each of the seven objects defined in the Schedule to the Irish Education Bill—namely, augmentation of class salaries of teachers; augmentation of salaries of assistant teachers; capitation grants to schools not having teachers paid by class salaries; bonus to each male assistant teacher of a certain standing and class; corresponding bonus to female assistant teachers; third class salaries to teachers of small schools; and capitation grant in respect of schools the teachers of which receive salaries or other money payments from the Commissioners of Education?

MR. JACKSON: The proposed allocation of the school grant for the current year among the objects defined in the Schedule to the Irish Education Bill is approximately as follows: In augmentation of class salaries, about £79,000, of which about £61,000 goes to principals and £18,000 to assistants; in capitation grants to schools not having teachers paid by class salaries, about £10,000; in bonuses to assistants of seven years' standing and classed higher than third class, about £5,000 (males about £1,200, and females about £3,800); in third class salaries to teachers of schools having attendances of from 20

to 30 pupils, about £2,600; and the residue to be disposed of as capitation grants to schools the teachers of which receive salaries or other money payment from the Commissioners of Education, about £112,000.

MARRIED WOMEN AS POOR LAW GUARDIANS.

MR. WEBB (Waterford, W.), on behalf of Mr. McLAREN (Cheshire, Crewe): I beg to ask the President of the Local Government Board whether it is the fact that the Local Government Board decided some years ago, in the case of Mrs. M'Ilquham, that a married woman having the necessary rating qualification was entitled to be nominated for election as a Poor Law Guardian; and whether, in view of that decision, any official is entitled to refuse to receive the nomination of a married woman who is legally qualified?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes), who replied, said: The case to which the hon. Member refers appears to be one in which it devolved on the Local Government Board in 1881 to determine an appeal against the election of Mrs. M'Ilquham as a Poor Law Guardian. The objection which the Board were called on to decide was whether Mr. M'Ilquham, by whom Mrs. M'Ilquham was nominated, was entitled as a ratepayer to nominate a candidate. The decision was adverse to the validity of her election on the ground that there was no valid nomination. The Board did not decide in that case that Mrs. M'Ilquham was as a married woman qualified for election. The practice of the Board has been where the question has been raised as to the right of married women to be elected as Guardians practically to decline to interfere with the decision of the Returning Officer. The question is one of so great importance that if there is to be any decision on the point the Board consider that it should be a decision of the High Court. It is, at the same time, to be remembered that there are cases where the Board have nominated as Guardians married women. We think that the question is

not free from doubt, although we have not gone so far as distinctly to say so.

CONDITION OF SCARIFF DOCKS.

MR. COX : I beg to ask the Secretary to the Treasury whether the ruinous condition of the Scariff (County Clare) Docks and the roadway leading thereto has been brought under the notice of the Irish Board of Works, in whom the control of the docks and the Scariff River navigation is vested ; whether it is a fact that there is neither a crane nor a weighing machine on the pier, although there is a regular service of twelve steamers plying to and from the dock weekly ; and whether, in view of the great importance of this quay to the trade of the surrounding neighbourhood, he will give instructions to the Board of Works to have the necessary improvements immediately carried out ?

SIR J. GORST : I must ask the hon. Member to postpone this question, as I have not had the opportunity of getting the information from Ireland.

PENSIONS TO THE WIDOWS OF COASTGUARD OFFICERS.

MR. P. O'BRIEN : I beg to ask the First Lord of the Admiralty if he will explain why pensions are allowed to the widows of Coastguard officers who previously served in the Royal Navy, but the widows of officers who were recruited from other branches of the Public Service are not allowed pensions ; and whether he will see that the widows of all officers are treated alike ?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing) : There are certain officers of the Coastguard who joined the Service when it was under the control of the Board of Customs. These men entered under the Civil Service Regulations, and have retained the right to be pensioned as civilians under the Superannuation Acts. They possess the privilege of remaining in the Service five years longer than the men who joined the Service from the Navy, and their pensions are higher than the naval pensions. On the other hand, by a rule which applies to all Civil servants without exception, their widows are not entitled to pensions from the State, unless the husband's death was directly caused by the Service. In this par-

ticular only are the civilian Coastguard officers at any disadvantage as compared with their naval colleagues, and in all other respects their position is superior.

THE CASE OF THE GIRL M'HUGH.

MR. M. J. KENNY : I beg to ask the Attorney General for Ireland if his attention has been called to the case heard at the Petty Sessions held at Trillick, County Tyrone, on the 15th inst., in which the Magistrates refused informations against a person charged with indecent assault on a young girl under 16 years of age named M'Hugh ; whether he is aware that the information of the girl in question set out a complete *prima facie* case, and that no evidence was called to contradict her ; and if, under the circumstances, inquiry will be made as to why the accused was not returned for trial ?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University) : I have just received the Report concerning this case, and in consequence of that Report I have sent for further information.

TELEGRAPH OFFICE AT MALTBY.

MR. A. ACLAND (York, W.R., Rotherham) : I beg to ask the Postmaster General whether a telegraph office can be provided at Maltby without the exaction of the full guarantee of £37 a year for five years, in consideration of the special needs of visitors and residents, and the difficulty of raising the required sum ?

SIR J. FERGUSSON : The last application for a telegraph office at Maltby was made in February, 1891. If the residents were now to renew their application, they would get the benefit of the concessions authorised by Her Majesty's Government last August, under which the guarantee would be fixed at £24 a year for seven years, instead of £37 for seven years, as stated in February, 1891. Not only so, but, under the 8th section of the Post Office Act, 1891 (54 & 55 Vic. Ch. 46), the Rural Sanitary Authority of the district might enter into the guarantee, and so relieve private persons from the necessity of taking the burden on themselves.

BUSINESS OF THE HOUSE.

SIR J. PEASE (Durham, Barnard Castle): I think it would be for the convenience of the House if the right hon. Gentleman the Leader of the House would give us some information with regard to the commencement and termination of the Easter Recess?

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): I am well aware that it would be a great convenience to all of us if we could settle as soon as possible the date of separation and re-assembly for the Easter holidays. The hon. Baronet must admit that the Government have some cause to complain of the small amount of time which has been actually at their disposal during the days nominally given to them for the conduct of the Public Business of which they are in charge, and I cannot at the present moment give any definite answer to the hon. Baronet. Before I can do so, I must wait and see what progress is made this afternoon, and I will take the earliest opportunity of giving the information he asks for.

MR. HENEAGE (Great Grimsby): What is the business to be taken on Monday?

MR. A. J. BALFOUR: In the first place, my right hon. Friend the Chancellor of the Exchequer will introduce his Budget, and after that we shall go on with the Small Holdings Bill Committee.

MR. MORTON (Peterborough): I beg to give notice that I shall, on Monday, ask the First Lord of the Treasury the following question—

MR. SPEAKER: Order, order! That is not in Order. The question should be put down on the Paper.

MR. BUCHANAN (Edinburgh, W.): Is it intended between now and Easter to proceed with any other Government Bills besides the Small Holdings Bill?

MR. THOMAS ELLIS (Merionethshire): I beg to ask, with reference to a promise of the Chancellor of the Exchequer, made three weeks ago, that he would almost immediately introduce a Bill to enable County Councils to make grants for inquiries into parochial charities, what meaning is to be placed on the words "almost immediately?"

MR. GOSCHEN: I shall, to-day, give notice to introduce it on Monday.

MR. BROADHURST (Nottingham, W.): Will the right hon. Gentleman be able, at the end of the Sitting, to give us the information as to the Easter Recess, or shall we have to wait till Monday for it?

MR. A. J. BALFOUR: I hope to be able to make a statement at the end of the Sitting, but I do not like to enter into any positive engagement on the subject. With regard to the question of the hon. Gentleman opposite, it is not proposed to proceed with any first class Government measures other than the Small Holdings Bill before Easter. I do not wish to exclude the smaller and less contentious measures, which we might have a chance of advancing a stage.

MR. BUCHANAN: Is the Private Bill Procedure Bill one of the first class measures?

MR. A. J. BALFOUR: I shall not take that.

MR. T. M. HEALY: Is the Evidence in Criminal Cases Bill amongst the less contentious business? This Bill proposes to alter the law of England as it has existed for a thousand years—that a man shall not be compelled to give evidence which would criminate himself. I hope, in accordance with the promise of the Attorney General, that we shall not be asked to go into Committee on this Bill without ample notice.

MR. A. J. BALFOUR: It will be impossible to proceed with any first class Bills other than the Small Holdings Bill, and the Private Bill Procedure Bill will not be taken before Easter.

MR. SEXTON: Will the right hon. Gentleman take the Second Reading Debate on the Irish Education Bill before Easter?

MR. A. J. BALFOUR: No, Sir; that will not be taken before Easter.

MR. LLOYD-GEORGE (Carnarvon, &c.): Will the Clergy Discipline Bill be taken before Easter?

MR. A. J. BALFOUR: No, Sir.

MR. A. SUTHERLAND (Sutherland): Will the right hon. Gentleman try to take the Bill for the amendment of the Roads and Bridges (Scotland) Act before Easter?

MR. A. J. BALFOUR: I have no doubt that is a very important measure, and I hope it may pass after 12 o'clock. I do not think it is in the slightest degree controversial; and, so far as I know, it is approved by all quarters of the House, and no obstacles will be placed in its way.

MR. D. THOMAS (Merthyr Tydvil): When will the right hon. Gentleman move the appointment of the Committee on Financial Relations?

MR. GOSCHEN: I hope, immediately after Easter, to come to some arrangement with the Leader of the House whereby the Motion for the appointment of that Committee may be disposed of after a short debate.

MR. COX: May I ask the Chief Secretary whether he is likely to introduce the Irish Drainage Bill before Easter?

MR. JACKSON: If the hon. Gentleman refers to the Bill included in the Bills of last Session I think it is ready, and I hope to introduce it almost immediately.

THE EVIDENCE BEFORE THE ROYAL COMMISSION ON LABOUR.

MR. G. W. BALFOUR (Leeds, Central): I beg to ask the Secretary to the Treasury whether Messrs. Eyre and Spottiswoode are bound to print the evidence taken before the Royal Commission on Labour weekly, under a Treasury Minute; whether they are paid a special rate for so doing; whether they have at all times complied with the terms of the Treasury Minute; and whether they are complying with those terms now; and, if not, what steps he proposes to take in the matter?

***SIR J. GORST:** I am not aware of any Treasury Minute to the effect stated in the question. Messrs. Eyre and Spottiswoode are not paid a special rate for this work. The direction that each day's evidence should be ready on the following day week was given to the printers by the Stationery Office, and until recently no complaint has reached that Department of failure to comply with the direction given. During the last month, however, the work has been allowed to fall in arrear, and it is proposed to call the attention of Messrs. Eyre and Spottiswoode to the matter with a view to expediting the work.

MR. T. M. HEALY: I beg to ask the Chancellor of the Exchequer when the Papers promised, relating to the 65th Rule, will be given?

MOTION.

THE EVICTIONS ON CLARE ISLAND.

MOTION FOR ADJOURNMENT.

(4.49.) **MR. W. O'BRIEN (Cork, N.E.)** rose in his place and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance—namely:—

“The harsh and unconstitutional employment of the forces of the Crown in effecting Evictions and Seizures for arrears of rent on Clare Island, whose population was, last year, saved by public relief from a condition of famine; and the danger of widespread destitution and disorder if the impending evictions on the Island are carried out;”

but the pleasure of the House not having been signified, **MR. SPEAKER** called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen:—

(4.50.) **MR. W. O'BRIEN:** I regret very much that I am compelled to interrupt the Business of the House, but this is a matter of life and death to an industrious and inoffensive community; and unless the House is asked to devote a short time to save these people from eviction, you will be asked by-and-bye to vote more money to save them from starvation. I was anxious, if possible, to avoid moving the Adjournment of the House, but the reply of the Chief Secretary is so absolutely unsatisfactory that I can do nothing else. He has given us no guarantee that the Sub-Sheriff, the police and the Removable Magistrates will not evict the people in this island for no other crime except that they have made no offer to the landlord of the charitable relief which the British taxpayers were asked for last year, during a time described by the First Lord of the Treasury as a period of exceptional famine. The evictions on this island have already commenced; 19 other processes have been granted within the last few days at the Castlebar Quarter Sessions, and a number of others are pending. Practically speaking, most of these

people are already evicted, and have become caretakers, and if they recover their status it will be by stripping themselves of everything they have in the world. We have no hope, I am sorry to say, from the Government; we have no hope from the landlord; we have still less from the Sub-Sheriff; and the only hope left to us is to make a special appeal to the public opinion of this House. Last year the whole population of Clare Island, with the exception of the bailiff and perhaps one or two others, was saved from starvation only by charitable relief. They were enabled to sow their crops only by public charity, and whatever little means they possessed after the harvest they acquired solely by means of charitable relief. The Sub-Sheriff, who is the principal officer of the law in the county, is also the agent for the landlord, and that landlord has for the last five or six months been engaged in a series of attempts to strip these poor people of the funds which they received from charity; and I am sorry to say that the Government by their Sub-Sheriff, their Police, and Resident Magistrates have aided this landlord in stripping these poor islanders of the means of subsistence which this Government felt bound last year in common humanity to give them. The place was formerly owned by an Irish family, who got into difficulties, and the property was purchased as an encumbered estate after a famine time by a landlord of a notoriously grasping character, who was at the time Sub-Sheriff for County Mayo. He went through the usual rent-raising process upon his purchase, and it was to recover arrears that began to accumulate that these evictions were entered upon. Another main fact in this case that we shall have to press upon the notice of the House reveals a scandalous state of things. You have the same gentleman acting in the double capacity of principal officer of the law and official of the landlord. He is earning double fees by carrying out these evictions, representing at one moment the impartiality of the law, and later on in the same day the greed of the landlord. You will find this gentleman as Sheriff requisitioning the forces of the Crown to protect himself as agent of the land-

Mr. W. O'Brien

lord in plundering these poor tenants of the relief which the British taxpayer provided for them. I do not know whether the Chief Secretary will defend this arrangement, but I submit that this dual rôle introduces a most undesirable state of things, and I shall have to press the right hon. Gentleman to say whether the Government will allow this state of things to continue and will allow this gentleman to order about the Forces of the Crown for any miserable purpose he pleases. Even the right hon. Gentleman's inexperience in Ireland would be no excuse for permitting this state of things to continue. There can be no controversy about the facts of this case up to this point. The whole population except the priest and the bailiff were dependent for their lives upon public relief, and were employed on the reliefs which were kept going for five or six months, and I must acknowledge that a considerable amount of relief was dispensed and much sympathy expressed with those poor islanders by two distinguished ladies who visited the island as representatives of the fund that was started by the First Lord of the Treasury and by Lord Zetland. This was the state of things when this Sub-Sheriff and landlords' agent made his first raid upon the island. He arrived in his yacht, and on his requisition a force of 20 riflemen arrived at the same time. There were only about 100 able-bodied men on the whole island, and various attempts were made to terrorise the people into giving up to the landlord the wages they had received to enable them to keep their families alive. I shall be curious to know whether the right hon. Gentleman will deny this, or will attempt to justify a crime which I regard as about as despicable as robbing a poor box. Apparently, a hint was given to this gentleman that the seizure of the little stock of these poor people at that moment would be a little too glaring, and would revolt those charitable people in England to whom the First Lord of the Treasury was appealing for subscriptions. Accordingly, after a few days, during which time most pressing efforts were made to get these poor islanders to pay blackmail to the landlord, the

Sheriff and his expedition took their departure and abandoned their efforts for a time. But only for a time. When the harvest sown by public charity was gathered, the Sheriff despatched to the island a common emergency bailiff to represent himself—and we raise even greater objection than before, because he delegated his dual functions to this man. Another force of police was despatched, and preparations of the most odious character were set on foot to secure what plunder was left for the landlord. And here I charge the Government not only with their responsibility for the action of the Sub-Sheriff, but also with responsibility for the action of the police. We will undertake to prove that the landlord's bailiff was aided in his operations by the very police who, during the summer, had been engaged in distributing relief to these poor people. These policemen had been able, in distributing relief, to obtain confidential knowledge of the poor people's circumstances, and we can prove, by witness after witness, that these policemen went round night by night with the emergency men and pointed out the cabins in which there might be a mountain cow or a mountain pony which might be seized. This occurred to such an extent that these unfortunate people were obliged, for the first time in their lives, to construct some rude sort of window blinds to protect their families from the espionage of these men. Having thus marked out his prey, the emergency bailiff, accompanied by his armed policemen, made a descent on these cabins. The natural result was that these people came out to see where these riflemen were bound, and to find out whose turn it would be next. It is not proved—I do not know that it is suggested—that any of these people threw a stone, or made use of any weapon. It is not pretended that any one of those riflemen sustained the smallest possible injury; on the contrary the only violence used was towards a poor young man who was simply standing by and was knocked down and clubbed by one of these riflemen.

MR. JACKSON: Will you give me the name of the young man and the date of the occurrence?

MR. W. O'BRIEN: The date is the 23rd November, and the name of the young man is Malley. His Christian name I forget. A much more important name, that of the policeman who clubbed this poor young man, has been refused to us, and I would suggest to the right hon. Gentleman that he should be as generous in his information as we have been on our side. The only crime these people committed was that they were anxious to know who was to be the next victim and looked on; and for this crime, practically speaking, the whole adult population were prosecuted under the Coercion Act for unlawful assembly, and for obstructing and overawing the officers of the Crown. The idea of these wretched, famine-stricken people, utterly unarmed, overawing a body of well-fed and well-armed riflemen is too absurd, but 80 prosecutions were instituted. But even after this the treatment of these poor people was most cruel. This trumpery, miserable case was adjourned and adjourned for over three months, and five times these people were dragged to the mainland, who, in the ordinary course of events, only visited the mainland once a year. One of these adjournments, I admit, was because of a terrible outbreak of scarlet fever on the island, and another because storms rendered the sea impassable. But two of these adjournments were caused solely and undeniably by the fault of the Crown officials themselves in failing to secure the attendance of two Removable Magistrates. The first occurred on the 7th December, when only one Resident Magistrate (Colonel Stewart) was in attendance; and by no default of the people, but purely of the Crown, the case had to be put off till the 16th. The right hon. Gentleman, in reply to a question, informed me that the Magistrate had been called away to Sligo on Assize business; but the right hon. Gentleman does not depend upon two Resident Magistrates in Ireland. He has many legions. There are 70 Resident Magistrates at his command, and they are not overburdened with work, but he allowed this miscarriage of justice to take place. On the 16th, the day to which the case was adjourned, the poor islanders

turned up, and not even one Removable Magistrate was present. The poor, starving islanders were in attendance; the well-fed and well-paid Removable Magistrates were not; and again the case had to be adjourned through, I say, the direct culpability of the Crown officials in Ireland. Having raised—it almost took a sort of national subscription in that place to raise it—£10 as the fee of their solicitor, their solicitor was in attendance, and they lost their £10 fee, and lost their last chance of having any solicitor to defend them in this matter. I questioned the right hon. Gentleman the Chief Secretary as to this fact, and asked him who was responsible for the non-attendance of these two Removable Magistrates upon that day, and the right hon. Gentleman failed to answer me. Well, I have to press him to answer now, and tell us how it is that the Government, who have always plenty of policemen and Resident Magistrates at hand whenever evictions are to be carried out, were not able to secure the attendance of two Magistrates upon this occasion, and caused these poor people all this inconvenience and heavy fine—a fine which I hold should be refunded to these poor people, and out of the salaries of £700 or £800 a year of these Removable Magistrates. I pass from that. After nearly three months' delay we come to the fifth Court day—there was a fourth adjournment owing to the outbreak of scarlet fever on the island. Fresh summonses were issued after the breakdown on the 16th, and one of them was served on a young man who was lying on his death-bed with scarlet fever, and who died within a day or two after. The fifth Court day came; two Magistrates were in attendance at last; the islanders were in attendance; and then it might have been supposed that this, at all events, might have been the end of this miserable trumpety prosecution. Nothing of the sort. The Magistrates deliberately adjourned the hearing of the case from Louisburgh, where these people live, to Westport, a place 13 miles away, for no purpose under Heaven except for the personal comfort and convenience of these Magistrates. All these poor people, cold and hungry, were obliged to march

through the snow in the depth of winter on the journey to Westport, and the following morning the Magistrates actually threatened to issue warrants for two old men who lagged upon the way. What does the right hon. Gentleman say in defence of the conduct of the Magistrates on that occasion? The first allegation, and really I was surprised at him, was that the snow was not actually falling. I do not know really—

MR. JACKSON: I did not say so. The statement was that they were driven out in a blinding snow-storm. I said I was informed that it was not snowing.

MR. W. O'BRIEN: Does the right hon. Gentleman deny that the snow was there: does he deny that the 13 miles of road were there; does he deny that a storm was blowing as it blows for months in the year in that neighbourhood? And if that is so, what is the meaning of this miserable pettifogging? It is much more worthy of the conduct of his Removable Magistrates in general than it is of men like the right hon. Gentleman, to whom we are accustomed to look for something a little better and for something more magnanimous. The second allegation was more important no doubt. He stated that the reason for the adjournment from Louisburgh to Westport was that there was no Court room in Louisburgh. And when I said I happened to know Louisburgh, and contradicted the right hon. Gentleman, he adopted a very majestic tone. Not only did they get the defendants into the Court room at Louisburgh, but the Magistrates continued the hearing of the case the whole day long, and it was only at 5 o'clock in the evening that they adjourned the case to Westport the following morning; so that the excuse they put into the mouth of the right hon. Gentleman—because I quite acquit him of having any knowledge at all in the transaction—is a dishonest and untrue excuse. One of these Removable Magistrates is a Mr. Horne, a gentleman who is lent to the Government by the *Times* newspaper, and who got up its case for the *Times* at the Parnell Commission. I congratulate him on his brilliant success. I only

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wish we could have that gentleman cross-examined himself before the three Judges as to the dealings of landlordism in Clare Island. There is another allegation, but as the right hon. Gentleman has conceived that I misconceived him, I shall not refer further to the point; but he certainly conveyed to my mind, and I think to the minds of many of my hon. Friends, that the adjournment to Westport took place on the application of the defendant's solicitor.

MR. JACKSON: No, I did not.

MR. W. O'BRIEN: Well, the right hon. Gentleman has explained away that impression; but that was the impression I decidedly got. What was the solemn assurance given by these men to the right hon. Gentleman the Chief Secretary for Ireland, and by him solemnly stated to this House? That, indeed, these islanders were extremely pleased with their treatment—were most grateful to the Magistrates, because they only bound them to keep the peace. These poor people actually had to go through Westport begging for the one shilling necessary to pay for their bail bond; and, in one case, the man actually got it advanced by a policeman in Court through compassion. No sooner had these poor people returned home than they were served with processes to Castlebar Quarter Sessions—30 of them were served with processes; whole sheaves of them were sent flying amongst them. They had to meet these at Castlebar Quarter Sessions—many miles from their own place. There were 19 decrees given, and more are to follow. Practically speaking, the whole island is doomed. The first eviction has been already carried out; and I daresay that it was to blunt the edge of British sympathy that the first man they selected for eviction was the relieving officer. I venture to say that unless this House comes to their rescue, the whole population of that island is, practically speaking, exterminated. I venture to say that this persecution is a disgrace to the Government that in any manner permits or allows it; and I ask them to say that they will not, in the interest of Irish landlordism, permit this landlord to pounce down and take away

the only little means of livelihood belonging to those poor people. We are constantly told in this House that when the tenants suffer in Ireland it is because they are our dupes. Well, the Clare islanders are not our dupes; it would be well for them if they were. Our dupes have safely in their pockets, nearly two millions a year, rack-rents that the landlords once carried off in plunder from them; but these poor people in Clare Island never held a public meeting, never established a branch of our Organisation there. They were as dumb and patient as sheep; and their reward is that within the last twelve years they have passed through three or four periods of famine, and the moment there was any relief from the charitable public or the taxpayers of these Kingdoms, that money was instantly appropriated by the representatives of their landlords, with the connivance and assistance of the officials of Dublin Castle. That is the sort of mercy Irish landlordism shows where its victims are too poor to offer resistance. I do not want to make anything like political capital out of the case of these poor islanders. It is not a case of politics; it is a case of common humanity. I submit to the House that whatever little means these poor people possess, they have received from the taxpayers of these Kingdoms not to pay rent to the landlords, but to put food in the mouths of themselves and their children. I say the landlord has no more right or title to appropriate whatever little stock or property they may have and to turn them out on the roadside than he would have to knock them down and rob them. It is a scandal for any landlord who attempts it, and I say it is a tenfold scandal and a shame that the power of this great Empire should be employed in carrying out a system of oppression of that sort. I shall not detain the House further, but this is a subject you will hear of again if you do not dispose of it. And I venture to submit to every respectable man in the House that we have a right to ask the right hon. Gentleman the Chief Secretary for Ireland for a categorical and an unmistakeable declaration—first, that he will not allow these evictions to be carried out, and that he will deal with

the landlord of this island in the same way as the hon. Baronet the Member for Bristol dealt with Lord Clanricarde; secondly, that we have a right to ask him that he shall not allow this arrangement by which the same man by whom the warrant is issued is the evicting Sheriff and the landlord's agent; and, thirdly, I submit we have a right to put it to the right hon. Gentleman's humanity whether or not the case of these poor people is not a case not for the Criminal Law, but for the Congested Districts Board? I would put it to him to recognise that what is wanted in Clare Island is not police expeditions, or eviction campaigns, or coercion prosecutions; but what is wanted is some reasonable project that would increase these poor people's means of livelihood—instead of robbing them—that would give them something like seaworthy boats to carry on the fishing industry, that would establish something like regular communication with the main land, and thereby help to make this island, as it could be made, one of the most beautiful islands in the Kingdom. I ask the House to say that the Government ought not, in the interest of Irish landlords, to exterminate these unfortunate people. I now move the adjournment of the House.

(3.31.) MR. T. M. HEALY (Longford, N.): I rise to second the Motion. This is the same island upon which Lady Zetland and Miss Balfour descended, and upon the beach of which they received that remarkable address—from which the *Times* gave us so many beautiful passages in August last—thanking Mr. Balfour for his kindness, his benevolence, and his charity, and contrasting his heroic and noble conduct with that of the miserable agitators who had only brought devastation and spoliation in their track. It was an address which the First Lord of the Treasury probably has framed and glazed over his chimney-piece at home, although I am sure he has not many such documents as a souvenir of his administration in Ireland. The right hon. Gentleman could not have listened to my hon. Friend the Member for North East Cork without feeling that the other and the real side of the picture was being

presented to the House. The address was got up for him by the Local Resident Magistrates; but I would ask, is there to be no other fruit from the visit of these benevolent ladies to the island than that address and the articles which appeared in the London journals? In those articles the manners and customs, the rugged wildness and the native simplicity of the people of the district were very nicely and touchingly depicted, but, Sir, not one word as to the real circumstances under which these unfortunate people live, move, and have their being has not been allowed to reach the outer world as the result of that visit to that far-off locality; and when, for the first time, my hon. Friend lays the complete story before the House, the First Lord of the Treasury is not present with the right hon. Gentleman the Chief Secretary for Ireland to listen to it. I would venture to say that if the Attorney General for England had been present he would not have attempted to defend the holding of the dual offices of Sheriff and of agent such as were held by Mr. Routledge. A Sub-Sheriff is not allowed to act as a solicitor, so that he should not be able to put into his pocket as Sub-Sheriff fees arising out of transactions which as a solicitor he might promote. Should it not be the same, *a fortiori*, in the case of Sheriff and agent? I further find in the list of District Receivers in the Court of Chancery in Ireland—that Court of Equity before which we are all asked to bow—the name of James F. Routledge, of Castlebar, as a District Receiver in the County of Mayo. Now, I say, that the Lord Lieutenant of Ireland ought not to allow for one instant a man to hold the position of Sub-Sheriff and District Receiver in one, who is carrying out the process of the law. It is forbidden in the case of Sheriff and solicitor, and there is a far stronger objection to it in the case of Sheriff and agent. Let the Government defend the holding of these dual offices if they can. Why should Mr. Routledge as an agent be able to levy the forces of the Crown for the assistance of a Sub-Sheriff? This scandal has gone on now for at least twelve years, and my hon. Friend the Member for West Belfast made some years ago one

of his most powerful speeches on this very same question—the treatment of the people of Clare Island. The remedial measures about which the Government have boasted so much at their Primrose League meetings has passed on in procession; Act after Act during these twelve years; and yet not one single benefit has been conferred on these islanders beyond that which has been given in the way of a little extra charity. That is the first branch of the case, and what is the second? I think that the Misses Macdonald are the ladies to whom Lord Carnarvon, when Viceroy of Ireland, sent a letter of special remonstrance with regard to their conduct as landladies. It was not till the distress of last year that the Government set about doing something for the Islanders. One of the things they did was to construct a road for the horses and carts, the only result being a macadam track for the bare feet of the poor people where they formerly had a comparatively level road. But that is not the point that I wish to insist upon. I contend that the Government ought not to have allowed these unfortunate people, who required relief in order to prevent them from starving, to have been marked out for eviction. We have been told that the charity of last year, and of the year before, was administered upon a basis of strictness and foresight such as never was practised in the administration of any previous relief; but instead of the Lord Lieutenant relying upon the local priest and parson as the almoners of charity he himself said that he relied upon Resident Magistrates, and upon the police and other officials as administrators of it. Is it likely, then, that that charity should find its way into the pockets of deserving persons? Is it not absolutely certain that it was misused when we consider who the almoners were? Is it not intolerable that these officials should, when finding out worthy recipients for the charity, mark down others to be dealt with by the law? Are not the Misses Macdonald on a par with Lord Clanricarde in the treatment of their tenants? I venture to say that they are even worse. I know from my own experience how the people suffered under the Crimes Act in Tipperary. How much

graver and more serious is it when you prosecute the whole population of a distant island in a stormy sea, and compel them to go before their tyrants in the nearest town on the mainland over 13 miles of road in the depth of winter! If these islanders had had a little more devil in them you would not have got them to do it. If they had been of the Tipperary spirit and strain they would not have been harried in this way. The agents of the Government always adapt their methods to the character of the population. They treat the Sikhs and the Ghoorkas of India in a different way to that in which they treat the Parsee and the Hindoo; they treat the peasants in the West of Ireland in a very different way to that in which they treat the farmers of Wicklow and Wexford and Tipperary. The lesson to be drawn from this is not a lesson of patience or toleration or charity; but a lesson of vigour, and of determination, and of defiance. I believe that if these poor islanders had risen up against such oppression, if they had adopted some of the methods of the Scotch Crofters, attention would have been drawn to their case much more quickly. It is because they have been meek, because they have been humble, because they have been patient, that they have been persecuted. I ask the Government to give these unfortunate people something more than magazine articles. I ask the Government to let us have some statement that will bring hope and succour to them, and I venture to think that if some method is not soon adopted there will be further serious trouble. Strong remonstrances should be sent to the Misses Macdonald and to the Sub-Sheriffs, and justice should be done to these people. A remonstrance should also be sent to Mr. Horn of the *Times*. I do not know, however, whether this Government is strong enough to deal with that matter. Mr. Horn has been for months the organ of the *Times*, and probably he may have more influence at Printing House Square than a decrepit and dying House. I would suggest that he should be strongly blamed and reprimanded for the enormous hardships he has inflicted upon these unfortunate

people. Finally, I say that if the Government have anything left of the fund in Dublin Castle about which we have heard so much, but the balance-sheet of which has not been presented to the public, it could not be better employed than by enabling these poor people in some way to meet the necessitous position in which they have been placed. I hope, Sir, that the Government will act as the really paternal Government, and not as the stony stepmother of Dublin Castle, and that it will show that the Union has some blessings in its train and is of some value and efficacy to these islanders.

Motion made, and Question proposed, "That this House do now adjourn."—
(*Mr. W. O'Brien.*)

***MR. JACKSON:** This is, perhaps, not a very convenient form of raising a subject which is certainly not, so far as I am able to judge, so pressing as to necessitate the absorption of the time of the House on an occasion like this. I have listened with very great attention to the speeches which have been made, and I think I may say that it is not the first time that we have heard these impassioned statements as to what may happen unless immediate steps are taken for the relief of these particular tenants. The hon. Member who raised this question dealt with it in its two-fold aspects. He devoted most of his speech to a subject that cannot be considered urgent, because it is a question that has already been discussed in this House. The hon. Member has again gone over the incidents of the story connected with the prosecutions for unlawful assembly, and I would remind the House that these prosecutions were for resistance to the action taken by the executive officers in the discharge of their duty; and I would further remind the House that in reference to what took place on that occasion, that these persons pleaded guilty to the charge made against them. Surely there was no great hardship in prosecuting them for offences to which they pleaded guilty? Now, Sir, it is not necessary for me to go into all the details connected with these prosecutions, but I should like briefly to refer to one or two statements made by the

hon. Member who introduced this question to the House. The hon. Member said that on the 23rd November a man of the name of Malley had been clubbed to the earth by a policeman with the stock of his rifle. This is the first occasion on which I have heard the matter mentioned. I have read carefully all the papers on the action of the police on the island; and, so far as my recollection goes, there is not the smallest foundation for any such charge as that which the hon. Member brings against the police.

MR. W. O'BRIEN: Did the right hon. Gentleman read a letter from Father Malloney, the priest of the island?

***MR. JACKSON:** Oh, yes! I do not question his authority, but I want to deal with one or two points to which he referred. I was quite aware, when I heard the speech of the hon. Member, that he was giving us statements which came from the reverend gentleman. Well, Sir, I will say that I believe there is no foundation whatever for the statement that a man was clubbed to the earth by a policeman; that disposes of that point. But the hon. Gentleman also said that one young man, lying on his deathbed with fever, was served on his deathbed with a summons. I am in a position to say that there is not the smallest foundation for that statement.

MR. W. O'BRIEN: What is your authority?

***MR. JACKSON:** My authority is the Report of those by whom the process of serving the summons was carried out. There is no reason whatever to doubt their authority. The hon. Member made the statement most positively.

MR. W. O'BRIEN: I repeat it most positively. I do not know if the right hon. Gentleman's point is that this young man had not a bed to die upon.

***MR. JACKSON:** The hon. Member repeats the statement on the strength of the letter to which I have referred. I have examined carefully into the question, and I say without fear of contradiction that there is absolutely no truth in the statement. Well now, Sir, the hon. Gentleman referred to the fact that the hearing of these summonses was adjourned on several occasions; he has again referred to the fact

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that the hearing was adjourned from Louisburg to Westport, and he has referred to the statement that in the opinion of the Magistrates it was much more convenient and much more in the interests of the persons concerned that that adjournment should take place from Louisburg to Westport. It is quite true that on the first day the room at Louisburg was packed with these people, and it must be borne in mind that at this time one of the adjournments took place in consequence of an outbreak of fever among the islanders. On the first day they were packed into this room in rows, and they had to stand the whole time, as there was no possible accommodation for seating them. I have heard on the authority of those who were present that it was dangerous to the health of everybody concerned that they should be kept in such an atmosphere. On the first day it seemed probable that the case would be finished before the rising of the Court. I believe it is admitted that certain recommendations were made by the priest, and at one time it was somewhat probable that the case would be decided before the end of the day. Towards the close of the day, however, when the question came up as to these men, it was found that if an examination by each of the individual witnesses brought forward was to be continued in the manner in which it had begun, a reasonable estimate would show that it would probably take five or six days before being finally settled. It was in view of that fact that there were no means of accommodation at Louisburg, and it was in the interest of everybody concerned that the cases were adjourned to Westport. I think I may say that, so far from there having been any unnecessary harshness in dealing with these people, I believe that they themselves admitted that the course taken had been a course which was marked by great leniency. Now, Sir, reference has been made to Mr. Horne, and, unless I am very much mistaken, Mr. Horne is a very popular man, one of the most popular Magistrates in Ireland, and a man in whom the people have perfect and complete confidence; and certainly I have ascertained nothing that would in any degree show that the feeling towards

Mr. Horne is other than that I have described.

MR. W. O'BRIEN: Will the right hon. Gentleman explain why the Magistrates did not attend?

*MR. JACKSON: In the first place, one of the Magistrates was summoned to the Assizes at Sligo. If this had been foreseen, arrangements would have been made which would have obviated the necessity for an adjournment. It was not possible in the circumstances to hear the charges, and it was through no fault of the Magistrate or anyone concerned that he was unable to attend on that day. In the other case the cause of adjournment was this. The first summonses were adjourned to a particular day, subsequent to the first case other summonses were issued against persons who had previously evaded service, and the second batch was made returnable on the same day as the adjourned summonses. It was found then that the day fixed was not a formal Petty Sessions day, and that, consequently, the new summonses could not be taken on that day. I admit that that was a blunder. No doubt the inconvenience of the second adjournment was caused by that fact. It would have been possible to have taken the adjourned summonses, but it was not possible to take the new summonses on that particular day, and I suppose that they thought it was better to adjourn them both rather than proceed with the adjourned summonses. I think a mistake was made in that case, and although I do not pass any severe censure on the officials, I make that admission to show the House that I desire to state the case as fairly as I can. Now, Sir, really what am I asked to do? In the first place, I am asked by the hon. Member whether I will undertake that the Forces of the Crown shall not be used for the purpose of protecting the Sub-Sheriff in carrying out these evictions; in the second place I am asked whether I consider it is right that a person occupying the position of a land agent should at the same time fill the position of Sub-Sheriff, and practically carry out the decrees obtained in those cases in which he acts as agent for the landlord. Taking the second point first, I believe the Lord

Lieutenant has no power in the matter. The hon. and learned Member for Longford says in vigorous language that the Lord Lieutenant should threaten the High Sheriff that unless he appoints another Sub-Sheriff he, the Lord Lieutenant, will supersede the High Sheriff. That is the only remedy which the ingenuity of the hon. Member for Longford can suggest as being within the power of the Government, and it is a course that would be certainly very unusual and extremely irregular. On the merits of the case itself, I do not hesitate to express my own personal conviction that it does appear on the face of it a little contrary to the position that we should like to see, that a man who has to carry out the decrees of the Law Courts should seem to occupy the dual position of bailiff and executioner. I do not hesitate to give it as my opinion that it is not desirable that a man should occupy that double position. But I would ask hon. Members to bear in mind that that has nothing whatever to do with the question of carrying out the decrees of the Court, or of the duty of the Government in connection with those decrees. Certainly, so far as any influence I have can go, I say it is not desirable; but I say, at the same time, that in this particular district the most suitable man in the district has been selected. I believe Mr. Routledge to be a highly respectable man, and, apart from this particular case, nobody would raise a question of his suitability for the position of Sub-Sheriff. The Government, however, as I have said, have no power to interfere. The appointment rests with the High Sheriff.

Mr. T. M. HEALY: He is a nominee of the Crown.

*Mr. JACKSON: Yes, but the appointment rests with the High Sheriff, and the Government have no power to do that which the hon. Member asks us to do. Now, Sir, with regard to the carrying out of these decrees, it is, I believe, true that there have been 19 processes issued. I would ask the House to consider, just for one moment, what it is I am asked to undertake. I am asked to undertake that the Forces of the Crown shall not be used under any circumstances in this case in order to protect a Sheriff

in carrying out his duty. If the Government gave that undertaking it would mean nothing more nor less than a distinct announcement and a distinct intimation to those people on Clare Island to resist the carrying out of those decrees, and we know perfectly well that in these circumstances it would be absolutely impossible to carry out the law.

MR. W. O'BRIEN: I only asked the right hon. Gentleman to follow the precedent set by the President of the Board of Trade when he was Chief Secretary for Ireland.

*Mr. JACKSON: I am asked to declare in Parliament that the Government will come under an undertaking or obligation not to use the Forces of the Crown for the purpose of protecting those officers in carrying out the law. I say, in reply, that it only needs to be stated to the House that whatever the view of the Government be, it would be absolutely impossible to carry out the law if that course were adopted. I say it is not possible for a moment to give such an undertaking. The hon. Member raises this question at a time when these processes have been taken out. I know nothing of the circumstances, but shall certainly deem it my duty to make inquiry into the facts of the case. But, so far as I am able to inform myself, I am bound to say that I hope the House will support the Government in the declaration I have made—that it is absolutely impossible, that it would be extremely unwise, that it would be cutting at the root of all the authority of the law in Ireland if, in answer to a demand made across the floor of the House, in a case where there has been no pretence that anything has taken place that has not been completely justified, in a case where there is no pretence that any injury has been done—that the Government should make a declaration that they would refuse that protection which the officers of the law are entitled to in carrying out the law. I say it is impossible for the Government to make any such declaration.

(4.15.) Question put.

The House divided:—Ayes 156; Noes 188.—(Div. List, No. 76.)

Mr. Jackson

ORDERS OF THE DAY.

SMALL AGRICULTURAL HOLDINGS
BILL.—(No. 183.)COMMITTEE. [*Progress 5th April.*]

Considered in Committee.

(In the Committee.)

Amendment again proposed, in page 1, line 10, after the word "may," to insert the words "either by voluntary agreement or compulsorily."—(Sir W. Foster.)

Question proposed, "That those words be there inserted."

*(4.55.) MR. WHITBREAD (Bedford): An hon. Member who sits on this side of the House moved a most important Amendment—more important, perhaps, than any other Amendment which has been moved on this Bill—and the right hon. Gentleman in charge of the Bill in dealing with it made use of some arguments which were not very sound in themselves, and which, at any rate, were not sufficient to meet a very grave case. His argument was that he had supported compulsion in the Allotments Bill, but that he did not see the necessity for compulsion in the Small Holdings Bill. What the right hon. Gentleman said was that he quite agreed with compulsion in the Allotments Bill, because it was admitted on all hands that allotments were a public good and a public advantage, but that it was impossible that could be said for the Small Holdings Bill, because it is an experiment which we hope may succeed, but upon which no confident opinion can be expressed. I may put the statement of the right hon. Gentleman in this way:—"I believe in allotments, therefore I am willing to give compulsion. I do not believe in small holdings, I only hope for them, therefore I will not give compulsion." I do not know whether that kind of argument is likely to be accepted by the House or the country; but it does occur to me that you will have to go a very long way back in our history before you will find a Government which has had such an appalling lack of faith in its own legislation as the present Government has shown in free education and small

holdings. But it is part of our business to stir up the faith of the right hon. Gentleman, and show him how to make a reality of this Bill. The next argument of the right hon. Gentleman was that there was no need of compulsion, because there is plenty of land in the market. And he quoted the figures of a firm of land agents to show that this was the case. I should like to ask a few questions of that witness on the subject. I should like to ask what was the character of the sale? What sort of land was it? Was it mountain and moorland, or farms that had been allowed to go out of cultivation; or was it good arable and pasture land fit for small holdings? And I want to know what is the character of the land remaining on their books, something like 200,000 acres? Were the sales in large plots, or so dispersed over the country as to justify the belief that if you rely on the supply of land in the market it will meet the needs of the separate parishes which may arise? That is the problem which we have to solve. It is no use to tell the labourer that there are 500,000 acres in the market in another county. Would this convenient witness tell us that if he were negotiating the sale of an estate of 6,000 or 7,000 acres in a ring fence, it would have no effect on the price or the willingness of the purchaser to buy if he were suddenly to tell him that he would have to surrender to the County Council for the purpose of small holdings a good plot of land in the centre of the estate? These are important questions when you come to rely on the amount of land in the market. If this Bill is to have any effect a surrender must be made. Most of the land in England is tenanted and occupied, and there must be a surrender. The figures of the right hon. Gentleman were very instructive. He said, take the number of acres sold by one land agent, and so many more on his books ready for purchasers, take the number of land agents in London whose names you will find in the Directory, and the multiplication table will do the rest. These figures came as trippingly from his tongue as the figures run in the prospectus of a Limited Liability Company. I do not think it would be a great misnomer if

this Bill were called the Small Holdings Bill (Limited), for it is strictly limited to what the landowners choose to subscribe. When my right hon. Friend was describing all these acres to be sold, I could not help picturing to myself the County Councillors with whom I am connected driving through parish after parish, many of them contiguous to each other, and in which not one acre is in the market, or likely to be in the market. Hon. Members opposite represent 20 times, perhaps 50 times, the amount of land in England represented by men belonging to the Liberal Party, and they know what I am saying is true. The tendency of landowners during the last century has been to secure complete and absolute control over the whole land within the bounds of their estates. It has not always been for unworthy purposes, for it is easier to secure good buildings and good sanitary arrangements if you have complete control. Hon. Gentlemen on this side chafe at the notion of that control, and doubt whether the benefits and advantages accruing from it are worth the cost. I am not concerned to inquire on what side the relative Parties lie; we have to deal with the fact. You propose by the Bill to reverse all this. You are going deliberately to give the pendulum a swing in the other direction. It is not a question of letting land for allotments, but of sale outright. The sale will be supervised for ten years by the County Council, but after that the land, purchased in 50 or 25 acre lots, will be available for any object the purchaser may choose. It may be sold in half-acre lots, or for building purposes; there is no guarantee that it will be kept in cultivation. When the Bill is passed, do you suppose that the complete and absolute control which has cost so much to obtain will be very willingly surrendered? It is a mistake to suppose that the landowners will sell large plots to be used for any purpose at the end of ten years unless they are compelled to sell. Look at these "close villages" as they were called, and see what injustice you will do them if the Bill remains a dead letter in their case. If you do not provide them with their share of these

new small holdings you do them a double injustice, for you tax them for the advantage of other villages. The right hon. Gentleman says he objects to compulsion, because it would cause friction between different classes. If I had to ask a tenant to surrender a portion of his farm for small holdings I should feel the friction much less if I were backed by compulsory powers. The tenant would feel more hurt if it were at the will of the landlord only that he had to give up the land. I certainly cannot agree that compulsion would make the state of feeling between landlord and tenant, or farmer and labourer, less pleasant than they have been hitherto. I am not ready to suggest that the right hon. Gentleman has taken up this Bill as a plaything, as a kind of Parliamentary pastime, to occupy a few spare hours between now and the Dissolution, or that he has put it forward as a convenient banner to be unfurled just before we go to the country, and after that to be rolled up again and put on one side. I believe he would have been glad to make a workable Bill, but I think he has wholly failed to realise the magnitude of the task under his hand. I wonder what he and his friends will think when the Bill is placed on the Statute Book if it is found that it will not work? I do not think the right hon. Gentleman has estimated the task he has taken in hand, or that the Party sitting behind him is prepared to make the sacrifices which are necessary if the Bill is to work. I look upon it that compulsion in this Bill is the test of sincerity. If they believe in the measure, if they believe that small holdings are a necessity, let them put a clause in the Bill which will insure that small holdings will be forthcoming. I am not enamoured of compulsion for its own sake, but there are some good things which cannot be obtained without compulsion, and this is one of them. There is one thing I dislike more than I do compulsion, and that is to see this House passing measures that we know cannot work, that we know are not real measures. I think that is a dangerous thing to do. I do not like to raise expectations among a part of the people of this country when I know that those expectations will

not be fulfilled. I think that is inducing men to distrust Parliament, to feel that when expectations are raised they are not fulfilled, and to avoid raising such expectations and dooming them to disappointment, I would make a greater sacrifice than is involved in voting for the Amendment of my hon. Friend.

(4.50.) **MR. J. CHAMBERLAIN** (Birmingham, W.): Reference has been made several times to the decision of the Small Holdings Committee, of which I had the honour to be Chairman, and I should like in a few minutes to give some explanation as to the course taken by the majority of that Committee. Before I do so, however, I may refer very briefly to the speech we have just listened to. My hon. Friend the Member for Bedford (Mr. Whitbread) commenced by referring to the arguments against compulsion which had been used by the Minister of Agriculture, and he complained of the poverty of those arguments. He complained, in the first place, that the right hon. Gentleman did not appear to believe in his own Bill, because he had said that whilst he felt confident in proposing that which referred to allotments that that measure would be largely availed of, he considered the present Bill as in the nature of an experiment, and, therefore, he was not prepared to go as far in the way of compulsion in the latter measure as he did in the former. I very much wish my hon. Friend the Member for Bedford had been on the Committee to which I have referred. If he had been, and had been in the slightest degree impressed by the evidence, he would have agreed with the President of the Board of Agriculture that he would be a very rash man indeed who would predict beforehand what would be the result of State assistance of a scheme for providing small holdings. We had witnesses before us who declared it could not be successful, except in the case of land where fruit-growing could be carried on or where fruit cultivation could be economically practised, and to attempt to extend small holdings throughout the country would be to court certain failure. We were told by other wit-

nesses that the class for whose benefit it was sought to create the small holdings would never be able to provide the capital necessary for working them, and that the very utmost they could possibly do would be to take something like the tenancies suggested by the right hon. Gentleman the Member for Midlothian. Then again, we were told by one witness at least that even the rate of interest suggested in this Bill, and which we suggested to him, would be altogether too large for any small holder to pay if he belonged to the agricultural labouring class, and unless the Government would be prepared to accept the same rate of interest which the landowners are content to take—and which the witness put at about 2 per cent—the Bill would certainly be a failure. Again, we were told that no Bill of this kind would be satisfactory or sufficient which did not provide State assistance, not only to give the land to the labourer, but also to provide buildings. One witness declared that he should not be satisfied with this even, and that the State must go on and provide for the stocking of the farm. There were, of course, other witnesses holding different opinions, and the Committee, although impressed by all this evidence with the fact that a Bill of this kind must necessarily be an experiment, were unanimous in their conviction that it was very desirable to try such an experiment. But undoubtedly I am expressing the conviction of the Committee, or certainly the conviction of the majority of the Committee, when I say that they believed that the Bill must be a tentative measure. My hon. Friend went on to say that the evidence before the Committee was insufficient to show that there would be sufficient land for the purpose of the experiment.

MR. WHITBREAD: Sufficient land sufficiently dispersed.

MR. J. CHAMBERLAIN: Yes, sufficiently dispersed. I am inclined to agree with those witnesses who came before us and said that there would be exceptional cases; perhaps in some cases affecting whole districts, in which there would not be sufficient and suitable land at the particular time at which it was wanted. I think that is

quite possible ; but, on the other hand, there was a general concurrence of testimony in the view that there would be ample land to be found in different parts of the Kingdom to supply, at all events, as much as would be required for such an experiment as this Bill provides for—an experiment which is confined to a capital expenditure which can be based on a penny rate. As to that I think there can be no doubt. I am inclined to agree with my hon. Friend that there may be cases in which this Bill will not provide for a want which may be found to exist, and if it can be shown that such a state of things exists to any considerable extent a good case would be made out for asking the House to provide compulsion, always supposing that in the meantime the experiment has succeeded according to the desires of those who are promoting this legislation. Then my hon. Friend made use of another argument which, I think, should lead to a different conclusion from that he based upon it. He pointed out that under the Bill these small holders are after ten years to have absolute possession of their holding, and I think he suggested that if now, under a voluntary system even, they were enabled to get land in the middle of an estate they might afterwards so use that land as seriously to injure the estate, and as that would naturally be unpopular with the landowners he actually suggests that compulsory powers should be asked for to do this great wrong to landowners against their will. I should have thought that if anything of the kind were possible it would be an argument against compulsory powers. For myself, I hold that to be an amendment to another part of the Bill which would prevent these small holders from obtaining this absolute possession, and always keep them under the control of the Bill, and carry out the object which the State is making sacrifices to secure—namely, that they should continue occupying and cultivating tenants. I go back again to what I wish to say with regard to the Report of the Small Holdings Committee, the effect of which has, I think, been a little misunderstood. It is said, and said truly, that we reported against compulsory powers, and hon. Members on the other side

have supposed that we reported against compulsion on its merits. We recommended that compulsory powers should not be put in this Bill, or in the Bill which was expected to follow on our recommendations, and we did so on two grounds. First, that it was a tentative measure, and that it must be considered as an experiment, and that for the mere purposes of an experiment compulsory powers were not absolutely necessary; and, in the second place, because we believed that if compulsory powers were sought for at this stage of the discussion they would provoke so much opposition, both in the House and in the country, there would be very little chance of any Bill being passed. As regards the evidence we took on the subject of compulsion, I must say that it did not add very much to our information. It was conflicting in character, and hardly of the nature to justify us in coming to any confident conclusion. There were four witnesses—Mr. Standing, a small farmer from Lincolnshire; Mr. Dodd, who spoke as standing counsel for the Small Holdings Association; Mr. Jones, a solicitor in Cardiganshire; and Mr. Hughes, a small owner in Wales, who, I may say, were absolutely in favour of compulsion. On the other hand, Mr. Gibbons, who was connected with allotments at Wellingborough, advocated compulsion after my hon. Friend's own heart. He was for compulsion all round. He was not satisfied merely to compel the landowner to sell, but he demanded that the Local Authorities should be compelled to buy. Another small farmer, Mr. Jones, also from Wales, was in favour of compulsion, but he would only apply it in the case of unlet land. He would not apply it where tenants were in possession and were already cultivating the land. The late Mr. Fyffe, who gave us the most interesting and useful evidence we took in the course of the inquiry, put before us some very strong arguments in favour of compulsory powers. He said, with regard to landlords, "Some will not sell land for the purposes of this measure, though it is true," he went on to say,

"I believe these are exceptions, but I know some landlords exercising control over very large districts who certainly, at present, would absolutely refuse the land for such a purpose."

He said, what I think to be of more importance, that whilst some landlords will not sell there are many landlords who cannot sell owing to the opposition of their tenants, and it would enable these landlords who are quite willing to sell to get over this opposition of the farmers if they could appeal to the compulsion that was behind them. On those grounds, therefore, Mr. Fyffe said that although he was firmly convinced that if compulsion were included it would seldom be used, it would be a potentiality which was a great advantage. Then Mr. Fyffe, who, although he was a very strong Radical and an ardent politician, was an extremely fair-minded man, went on to say, in answering a question, that undoubtedly he thought that the Bill, even without compulsion, was a good and useful Bill, and he would vote for it, even without compulsion, though he thought it would be more useful if compulsion were included. My own opinion, and the opinion of some other Members of the Committee who voted against the immediate introduction of compulsion, may be very fairly expressed in the words of Mr. Fyffe. We think, and we thought, that the introduction of compulsion would be an improvement to the Bill, and if we could possibly hope to convince the Government of that, and at the same time not to arouse any considerable opposition in the country, I should have thought it was very desirable to include compulsion, even now, in the measure. But, on the other hand, if the introduction of compulsion is likely seriously to endanger the measure, then I am prepared to vote against compulsion, at all events at present, not on the merits, be it observed, but as a question of policy. I think that in doing so I should have no difficulty in justifying myself. In the first place, as the hon. Member for Bedford said, and as any reasonable man would say, compulsion is not to be desired for its own sake but should rather be avoided, because it might, in many cases, cause great friction; but I would also point out that it is certain to increase the cost of transactions under the Bill. I have had a very large experience in compulsory acquisition of land, acting on behalf of a great Municipality, and in all cases in which I have

been personally concerned, and in every case of which I had the slightest knowledge of the cost of the proceeding, the general consequences of having resort to compulsion have invariably been to add at least 20 per cent., and in one case of which I know personally 50 per cent., to the value of the land. Therefore, I think we all desire that compulsion should be used as little as possible, and not at all unless it is necessary. I have already said that we had evidence before us that enough land was obtainable for the purpose of trying this experiment. I have no doubt that will be found to be the case if this Bill passes. I do not say it will be so in every case in which land is required; there may be cases of grievance but, practically speaking, it will be tried in every county in England, and we shall know what chance there is of giving a large extension to the measure. And if, hereafter, a case for compulsion is made out—as I think it will be made out—then, undoubtedly, we shall have the strongest possible grounds for coming to Parliament and saying, “We must have compulsion, without which this question cannot be dealt with.” But if we find, as I am afraid we do find, that there is amongst the landowners of the country a very serious alarm at the prospects of compulsion, I think we are bound, having regard to the prospects of legislation, to take that into account at the present moment. And let me say that some of the remarks which have been made in the course of this discussion are not calculated to relieve landowners from this alarm, because I have heard hon. Members say that what they want is not only land, not only ordinary land, but the best land in the best place. I confess that goes a long way further than I have ever proposed to go in this matter. By all means let the small holder have a fair chance with the other cultivators of the soil; but if you say that that is not sufficient, and that he cannot succeed unless you allow him to pick out the eye of every estate, I think in that case you are putting his claim so high that no just man can possibly recognise it as a fair one. It is because I do believe that the progress of this measure would be most materially advanced if compulsion were not intro-

duced that I voted against its immediate introduction. I am prepared to do the same now. The hon. Member for Cirencester the other day threatened us in very plain language with vengeance and with an electoral agitation, and no doubt we shall be denounced throughout the country as the enemies of the agricultural labourer. The hon. Member does not show very good taste in threatening his colleagues in the House in that way, but I will tell him this. If only the matter is fairly stated to the agricultural labourer by himself and his friends without exaggeration and without misrepresentation, I have sufficient confidence in the shrewdness and intelligence of the labourers to feel certain that they will justify our action. Here is a Bill which, as Mr. Fyffe said, and as I believe, is a good Bill, a useful Bill, and a Bill which will go a long way towards carrying out the object which we have at heart. We are told that the Government cannot accept the Amendment which has been proposed, and if it were forced upon them it would be fatal to the Bill. The Bill would have to be dropped, and what would happen then? The labourers, who are the especial care of the hon. Member for Cirencester, would have to wait till another Government came in—I wonder why hon. Members do not cheer me—which is a matter, as we all know, of very few weeks or months. Yes; but they would have to wait a few years after that Government came in whilst that Government was engaged in dealing with Home Rule for Ireland, Home Rule for London, One Man One Vote, Disestablishment of the Church in Wales—and it is not until all these things have been dealt with that the turn of the agricultural labourer will come for his compulsory Small Holdings Bill. Under these circumstances I have no hesitation, and I believe I am acting in the interest of the labourers when I vote for half a loaf instead of no bread. I believe in doing so we shall have done a great deal to satisfy the aspirations of the labourer, and we shall have done much more in his interest than we should do if we postponed the settlement of this question till all the reforms to which

my hon. and right hon. Friends are pledged have been carried into effect.

(5.10.) Mr. W. E. GLADSTONE (Edinburgh, Midlothian): I own to some difficulty in understanding the position of my right hon. Friend who has just sat down. But if I understand it at all, it appears to me to be a position which would go very far indeed to paralyse and to reduce to inanity all the reforming energy of Parliament. My right hon. Friend thinks that compulsion is sound in principle. He is convinced that a case will hereafter arise in which compulsion will be justified and necessary; and yet, although, he has these opinions, he is afraid to give a vote in favour of compulsion, because he says the Government cannot grant it. I want to know from my right hon. Friend whether there has ever been a single measure of reform and improvement in this House which, if we had treated it in that manner, we should not have totally failed in carrying. We have always had this opposition to contend against; we have always had this unwillingness and reluctance to admit the propriety or the necessity of what we proposed. But our answer and our grounds of action have been these: that we were confident in the reason of the case, and that, therefore, we must persevere. My right hon. Friend is perfectly confident in the reason of the case; he has no scruple there; he believes that the thing is in principle sound; and he believes that a case of necessity and compulsion will arise. Well, if we were under these circumstances to refrain from pressing our opinions, I should like to know where would be any of the reforming measures on which my right hon. Friend has heretofore in other days taken part? All these measures at the present day would still have continued to be the subject of idle and profitless discussion and of infinite ingenuity in finding circuitous methods of justification for shrinking from supporting them. If my right hon. Friend would only recur a little to the ancient faith which he used to have! I do not ask him to urge all his principles and all his opinions with the vehemence and in the alarming terms by which, in other days,

he excited such horror amongst hon. Members opposite, by which he contrived to sever from the Liberal Party many good though timid men, who are now associated with him in the closest and most harmonious relations; I will not ask him to revert to his famous dicta, by which he earned an immortality, not, perhaps, altogether acceptable to his present humour; but I ask him in some degree to recall the sentiments cherished by him in his youth, and in his middle age to join with us—at least so far as reason will support our proposition—in something better than referring to the discretion and arbitrary will of the Government opposite, to say whether some improvement in our law shall take place or not. Then we come to this question: Is this Bill a Bill which absolutely requires the introduction of compulsion in order to give it any such character of utility, and any such terms of extent as the nature of the case and the expectation of the people demand? My right hon. Friend speaks as if there were nobody and nothing to consider in this matter except the apprehensions of nervous landlords, and except the will of a Tory Government. Now, we have a large rural population, and this rural population—as my right hon. Friend knows—has its mind intently set upon this subject. Of that there is no doubt. My right hon. Friend has got his specific for this. He says, “Only be reasonable and clear in your explanations to this rural population, and there is no difficulty whatever. Let there be no tampering, no exaggeration,” and no doubt the hon. Member for Bordesley, the faithful henchman of my right hon. Friend, will be glad to echo that opinion. My right hon. Friend says, “This is my specific: give rational explanations to the rural labourers, and they will be perfectly satisfied.” Well, now I should like much to know what are to be these rational explanations? Does my right hon. Friend think that if we have in our pockets a little printed copy of the speech which he has made to-day that will furnish us with a sufficient text for rational explanations to satisfy the labourers? Will the rural labourer be content when we go to him and say, “We believe compulsion is in principle

just; we believe you have got a case, but because there is a Tory Government in power that I do not wish to displace, therefore my rational explanation must be sufficient for you; although your case is just, though I am the first in declaring it to be just and good, yet from political motives, brought from other quarters and not belonging to the merits of your case, without disparagement of your just claim, because of previous arrangements to which I have become committed, you are therefore to acquiesce in a measure which I do not deny requires this as a proper complement, but which at the same time it is not convenient for me to confer upon you.” Is this the moderate and intelligible and enlightened explanation to which I am to expect the intellect of the rural labourer at once to yield assent? But I confess I differ from my right hon. Friend; I am not so sanguine; and I believe that the rural labourer is either too unenlightened or a good deal too enlightened to give the slightest effect to such explanations. If, on the other hand, my right hon. Friend has got another set of explanations which he has not included in his speech to-day—if he will kindly on some other occasion supply us with them, we should be most happy to take them, provided they are available, and turn them to the best account we can. In the meantime, for the present purpose I must point out to my right hon. Friend that we cannot altogether decline to act in the manner in which we have endeavoured to act upon other subjects—and that is to say that by our speeches we will endeavour to assist the public mind in arriving at right conclusions, and by our votes we will endeavour to assert our conscientious convictions—which are evidently shared by my right hon. Friend with us—we will endeavour to assert them, and we will not be deterred from asserting them by the knowledge that we have before us, as we have had upon every occasion when there has been anything worth contending for, a phalanx banded in opposition to our views. Well, now, the real question comes to this: Is this proposal a reasonable proposal? Is it needful, in order to make this Bill a reality, that compulsion should be introduced into it?

But my right hon. Friend dropped important words, if I understood him rightly, in one portion of his speech, where I think he intimated vaguely that he approved of the proposal—I am sure he will correct me if I am wrong—that he approved, in principle, of the proposal to enlarge this Bill by introducing into it the principle of letting as well as selling the land.

MR. J. CHAMBERLAIN: I beg pardon. The Amendment of which I indicated my approval, and which is down on the Paper, was that for limiting the ownership by leaving quit-rent upon the land permanently, but I should have something to say against the proposal for substituting tenants for small owners.

MR. W. E. GLADSTONE: I should be sorry to accuse my right hon. Friend of an intention to enlarge this Bill. I can assure the right hon. Gentleman, however, that I am glad of his intervention, because he has relieved me in that way from the danger of disappointments, which I have not infrequently felt in the course of the present Parliament, when after listening to an admirable speech from my right hon. Friends which tended to make it a matter of demonstration to me that we were going to have the support of my right hon. Friend on some important principle, he has by-and-bye found a way circuitously to a means of escape which ended with the announcement that it would be his painful duty to go into the other Lobby. It seems to me that, in considering this Bill on its present basis, we are bound to refer to the evidence of witnesses before the Committee of this House, who have shown that very great doubts exist in the minds of many as to the extent to which this Bill will work, that there are many obstacles in the way, and that although many of us believe that it may easily and reasonably be made into a Bill of large operations, yet many persons appear to be under apprehensions that the operations of it will be small on account of the difficulties and objections there are in the way. But if that be the case, I have to ask myself, first of all, two questions: Is the object in view any very great object; and if it be any very great object is it one on which the common mind of this

country is firmly set? My answer to these two questions is in the affirmative. I say it is of enormous importance to bring into profitable use the land of this country—not of the whole land of this country—I speak of nothing of the kind; and I do not believe that any person sitting here will see a fundamental revolution of the sort in the rural land of this country. I believe its destiny is that for the most part it will be held by a considerable mass of persons who are not the occupiers and the cultivators of the soil. But I believe that it is of enormous—that it is of vital—importance and consequence on every ground to bring the rural population, the rural labouring population, as far as possible into union with the soil, and with the profitable use of the soil. Surely that is an argument of enormous power—to which a man of the acuteness of my right hon. Friend cannot possibly be blind—for endeavouring to give all the extension, and all the elasticity we can to the measure which is placed before us under the imposing title of the Small Agricultural Holdings Bill. This is indeed a very great question; and I confess I can conceive nothing more clear than that, without making extravagant or exaggerated demands, we should endeavour to equip such a Bill in such a way that it shall be a Bill of resource, that it shall be a Bill of carefully considered expedients for meeting the difficulties that confront us, and a Bill which aims at extracting from this great subject all the benefits that it can by rational processes be made to yield. Therefore, while disposed to admit that just consideration ought to be given to the arguments of opponents, and even to the apprehensions of opponents, I say I feel no reason to believe that our opponents constitute a considerable majority in this House, and that they have reason to make a call upon our compassion. They are here in a condition to assert individually their own views and principles and to give them effect. But it is a strange thing, indeed, that we who are of the minority should be reduced to the point that we are not to give a reason for our opinions, and not to give our votes in support of these opinions, because what we have before

us is still not an inconsiderable majority perfectly able to hold its own ground, and to do what I must admit to be justice, and what I call a great deal more than justice, to bad arguments and insufficient conclusions. There is one statement of my hon. Friend the Member for Cirencester which I wish to call attention to. Why is it, it may be naturally asked, that my hon. Friend behind me, in his admirable speech—the hon. Member for Bedford, and other gentlemen in this House—has attached this very great importance to the introduction of compulsion into this Bill? And here I wish to draw a distinction which undoubtedly, in my view, is important. The same distinction was taken by my hon. Friend the Member for Cirencester. I wish to point out that if a multitude of blocks of 50, 40, or 30 acre holdings are to be taken out of existing estates, that may be regarded, and rightly regarded, as a very serious interference with the unity of those estates, and, without putting too high an argument on behalf of the landlord, on the landlord's reasonable influence on the control of the area where he is the principal proprietor, and must continue to bear the principal responsibility. As I have gathered from the speech of my hon. Friend the Member for Cirencester, his anxiety for compulsion was not for the 50, 40, 30, or even 20 acre holdings, which the Government contemplate in the form of freeholds. Undoubtedly that is my feeling. I am indifferent whether you apply compulsion to those large blocks, which I call large holdings as compared with the holdings we principally have in view. Now, Sir, what is it we have principally in view? Who are they that have the real call upon us for assistance in this case? They are the rural labourers; they are not the men possessed of £2,000, £1,000, or £500. They are not the men who would buy 50, 40, 30, or even 20 acres. They are the men to whom it would be of the most vital consequence to obtain what I would call small holdings—those which border upon allotments, and which rise by slow gradations from the dimensions of allotments until you come to holdings

of an entirely different character. I think the more these Debates are carried on the more it must be evident that the object of the Government is entirely distinct from that of hon. Gentlemen on this side of the House. The object of the Government is the creation of a class approaching the character of the ancient yeomanry of this country. An object of that character is an exceedingly good one; I have not a word to say against it, but it is an object necessarily limited and narrow in its sphere. There is before us a far wider purpose, and that is of going to the labouring population of this country, and of placing them, to their own profit and advantage, upon the soil from which until now they unquestionably have been almost altogether excluded. I hardly think it can be denied that that is a reasonable purpose on our part, and that we should look to this Bill with a desire that it should be made adequate to the attainment of that object. The right hon. Gentleman the Minister for Agriculture says that he is strongly for compulsion in regard to allotments, but that the holdings contemplated by this Bill are in the nature of an experiment, and that, therefore, there ought not to be compulsion in regard to them. I do not admit the distinction of the line which has just been drawn by the right hon. Gentleman at a single acre being a certain good on one side and a mere experiment on the other. I say that the allotments are a certain good, but that he is wrong in saying that holdings of two acres or three acres, four acres or five acres, ought to be regarded as mere experiments. Some of these holdings, even up to five acres—I believe multitudes of them—may be found to be perfectly capable of management by men who are now in the condition of labourers. I will now refer to a nobleman who was once well known to this House, and who will always be honourably known in the districts in which he lived—the late Lord Tolle-mache. He was a man of politics entirely opposite to mine, but he was one who did honour to his name and to his order, and to his country; and as regards this question of small holdings he was a model landlord. Now Lord Tolle-

mache had an estate in Suffolk, where the people were not associated with grazing and the management of cows, and he gave to every labourer upon it half an acre of ground, partly to be used for the spade cultivation of corn, and partly for strictly garden purposes. But Lord Tollemache also had a large estate in Cheshire, and he gave $2\frac{1}{2}$ acres to every cottager upon it. These are what I call small holdings, and they were held without any call being made upon the labourer to invest money in the freehold, and thereby to deprive themselves of the means of cultivating their holdings. Why should there not be created in many parts of this country a class such as Lord Tollemache created on his own estates? Then we come to the question, whether it is certain that such a class could be created under this Bill as it is now framed? I maintain that they could not be created under it. My right hon. Friend who has just sat down said that in his experience compulsion was a more expensive way of securing land than by voluntary arrangement. That contention appears to be based on the assumption that we are setting up compulsion against voluntary arrangement. We are doing nothing of the kind. It is not a question whether land shall be taken by compulsion instead of by voluntary arrangement. It is a question whether land shall be taken by compulsion or its not being taken at all. The comparison of the standard of price has no reference to the case which is before us. My contention is that we ought to have a uniformity of action, so far as we can, all over the country—I do not say uniformity of action made compulsory, because we are agreed that this is a matter in which the initiative control and responsibility must be left in the main to Local Authorities—to the County Councils—as the basis of the Bill. About that I think there is no division of opinion in this House; but we ought not to frame our measure in such a way that where the Local Authorities are willing, intermediate or secondary obstacles shall be permitted to frustrate and render null and void *ab initio* the great purpose of the Bill. Can we expect uniformity of action on the part of

landlords in this matter? In my opinion, the exceptions which must exist to prevent that uniformity are exceptions very considerable in number. There are the landlords who are indifferent; there are landlords who are absentees; and there are landlords who are minors, whose trustees and guardians, in a multitude of instances, will say "No" to the question of dealing with the corpus of the estate before the succession of the owner. There are landlords who are embarrassed, and whose estates are greatly encumbered—not, I hope, a very large number, but still a not inconsiderable number—to whom it might be a matter of great inconvenience to raise any money in order to release even a portion of their property from the encumbrances at present affecting them. But there is another consideration. This Bill must undoubtedly be regarded as a Bill calling for considerable expense. What I should like to see would be voluntary action of the landlord in dealing directly with the tenants without going to the County Councils at all. But a man must then be in a position of something like Lord Tollemache, whose operations cost him, unless I am much mistaken, a great deal of money. Perhaps not a very large proportion of landlords would be in a position to deal with their tenants upon the liberal footing which Lord Tollemache was able to adopt; and, on the whole, it appears to me that there is no inconsiderable number of landlords whom it is impossible to expect that they or their representatives would voluntarily concur in the purposes of this Bill. Then how will the people of three different parishes stand with regard to it? There may be parish A, parish B, and parish C in the same county: the people of those three parishes desirous of obtaining land; the County Council willing and active in the discharge of their duty. In parish A and C the landlords are willing to sell; but in parish B there is a landlord who from indifference, or from being an absentee, from want of money, or from other causes, is not willing to do so; so that while the labourers in parish B have their desires wholly unsatisfied, and those in A and C have attained the object of their wish, those in

parish B would be subjected to taxation for the benefit of the others. Is that likely to conduce to harmony and to prevent friction? Will the right hon. Gentleman opposite apply the principle to a holding above as to a holding below one acre? Will he open the door which would give us a hope that the rural labourer will have a fair chance of coming into the profitable use and cultivation of a portion of the soil. The only desire we have is to aid him in doing it. My right hon. Friend said that this Bill would go a long way to accomplish our object—

MR. J. CHAMBERLAIN: No, no! What I said was that the Bill before the Committee was in its main features similar to the Bill which was introduced by my hon. Friend behind me (Mr. J. Collings), which also was not a compulsory Bill, and that compulsion is not necessary to bring a good many more people on the soil.

MR. W. E. GLADSTONE: The expression "going a long way" was, I think, unfortunately used. The sense and meaning of the present Bill is to increase the number of small holdings. By all means let that be done, but do not let us allow the rural labourers to suppose that we for a moment dream that this will meet their wishes. It is something far beyond it that is required. It is the establishment of a prevalent and useful union between the masses of the population and the soil that we should seek to effect. Is that an unreasonable attempt to make? Let the right hon. Gentleman give us, in the most moderate way, the means of accomplishing that object, and we shall be happy to meet him. We wish to give him every credit for what he has done, but to stimulate him to do more; because I fear that if something more is not done this Bill will remain a monument of good intentions, and will carry through the country when it comes into operation, from the extreme narrowness of its scope, a feeling of deep and prevailing disappointment.

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The House has listened with interest, not altogether unmixed with amusement, to the speeches of the two right hon. Gentlemen. These speeches have been strik-

ingly different in character. The right hon. Gentleman the Member for West Birmingham explained the reasons which induced him to give his vote against this Amendment. The right hon. Gentleman the Member for Midlothian commenced his speech by spending at least a quarter of an hour in attacking my right hon. Friend the Member for West Birmingham for refusing to return to what he called his "conscientious convictions," and denounced the bad arguments he had used on this occasion. I think, in so far as the right hon. Gentleman's speech was concerned, if I may be forgiven for saying so, the difficulty was to find what arguments he relied on. He spent so long a time in attacking my right hon. Friend that I can only come to this conclusion—that whilst my right hon. Friend was desperately anxious to forward and advance this measure, the right hon. Gentleman the Member for Midlothian would not scruple to injure it, and injure it seriously if he could. The right hon. Gentleman asked if this was or was not a reasonable Amendment, and he went on to say it was a very large question, and that this Bill ought to be what he described as a "Bill of resource." But the right hon. Gentleman did not attempt to explain what a "Bill of resource" was to mean, neither did he give the slightest nor the smallest answer to the question as to whether this Amendment was reasonable or whether it was not. The right hon. Gentleman went on to declare that the endeavour to create a class of yeomen was not the only thing; but that the real object and purpose of the Bill ought to be to aid in the advancement of the agricultural labourer by increasing the number of small holdings. I entirely agree with the right hon. Gentleman, but I do not see how, by making use of that expression, he advanced in the slightest degree his argument in favour of compulsion. He said I had drawn a line between holdings below one acre and holdings above one acre, and that I stated that, though the one was nothing but an experiment, the other was an advantage that could not be disputed; and he asked me to justify that distinction. I wish to say, in reference to

this subject, that that is not the argument I used. I said nothing whatever about a line between holdings below one acre and holdings above one acre. What I have constantly said on this subject is this—that while the system of allotments has been proved to be a success—which is a very different thing from saying it may be an advantage—on the other hand, no one in this House is able to say that the attempt to establish small holdings by the aid of the State can be described as anything more than an experiment, although it is an experiment of which we cherish the reasonable hope that it will succeed. The right hon. Gentleman said it is a question between compulsion and having no land at all. On what ground does the right hon. Gentleman make that statement? We have had some experience of this question in the past in dealing with allotments. Since the passing of the Allotments Act there have been added by voluntary means to the allotments already existing a number that is quite remarkable. Does that show any unwillingness on the part of landowners of this country to come forward and assist a measure of this description, and does that give the slightest ground or justification for the idea that we must either have compulsion or no land at all? Well, Sir, there has been this great addition to the allotments, and it has been obtained by voluntary means and not by the compulsory process which the right hon. Gentleman wishes us to introduce, with the exception, I believe, of one or two cases only out of the multitude of allotments which have been created. The right hon. Gentleman said there would be Parish A, in which the landlord would be willing to sell land for the purpose of being parcelled out in small holdings, and that in Parish B there would be a person of a different description, an odious and selfish character, who would refuse to grant any land whatever for the purpose. Well, Sir, when that is shown to happen it will be time enough to adopt the suggestion of compulsion: and I cannot help thinking it is an unworthy charge to make against the landowners of this country, before the thing has been tried, that at least one-half of them will refuse to give any

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assistance in the carrying out of this Bill. I will tell the right hon. Gentleman one or two arguments against this principle of compulsion, which seems to be exceedingly dear to him, although I do not think he has advanced one single solid argument in its support. The right hon. Gentleman said—and he has repeated the statement more than once—that in his opinion the holdings granted under any measure of this kind would in the great majority of instances be small, and that it was essential that they should be near the existing homes of the men who were to cultivate them.

MR. W. E. GLADSTONE: I said that small holdings which are capable of being multiplied to a very large extent in my view form the great subject of importance, and that the others are of secondary consequence.

*MR. CHAPLIN: Quite so; but I understood the right hon. Gentleman to say that that was one of the grounds which made compulsion necessary. But if I accept the argument of the right hon. Gentleman as to the very small holdings it would be fatal. It would be an admission that would be fatal to the establishment or development of the system of small holdings throughout the country, except on the narrowest possible scale and to an extremely limited extent. The moment it is examined the Committee will see that the argument of the right hon. Gentleman is open to two serious objections. In the first place the Committee must remember that the number of small holdings in this country at the present time is very much larger than probably many Members are in the least degree aware of. I have not the figures with me, but according to the latest Returns I am certainly under the impression that there were over 1,000,000—I think the number was 1,300,000 holdings over half an acre; and it is precisely in the districts indicated, that is to say, in the immediate vicinity of the villages, of the homes of the holders, that the great number of these small holdings will be found to exist. If that is so, the right hon. Gentleman will see that if this system is to be developed to the large extent that he desires, and that I hope, you must go further afield than the im-

mediate vicinity of the villages for the purpose of giving effect to your measure. As a matter of fact, instead of bringing land to the houses and the buildings, you will have to consider whether, if the system is to be developed largely, the buildings and the houses should not be taken to the land. If this is not done, and compulsion is insisted upon, then when it is applied in the cases the right hon. Gentleman desires, to the villages, it will be found that it cannot be applied without dispossessing those already in occupation, and inflicting great injustice and injury on others. Everbody who is at all acquainted with the subject must know that it is the commonest thing in the world in the immediate vicinity of the villages to find land occupied as small holdings. That is one of the reasons why, in introducing this measure, and ever since, I have impressed upon the House that we should not be justified in regarding it as anything more than an experiment, but at the same time it is an experiment we hope will be attended by a reasonable amount of success. Now, Sir, I turn to the speech of the hon. Member for Bedford, who opened the Debate this afternoon. The hon. Member was good enough to say that my arguments were not sound and that they were insufficient. He summed up my statements as follows:—"The right hon. Gentleman tells us he believes in allotments, but that he does not believe in small holdings." The hon. Member must pardon me for saying that that is an entire and complete misrepresentation of anything I have ever said. What I have said and what I repeat is, that allotments have been proved to be a success, but that no one can say the same of the question of small holdings. Did the hon. Member go further than that himself? Did he hold out to us any expectations that he would be prepared to introduce a Bill of this kind into Parliament, and recommend it as a measure the success of which had been already ascertained and proved? No. He was very careful to abstain from doing anything of the kind. The hon. Member said my figures were extremely loose, and he attempted to discredit the proposition that I put before the House that there

were large quantities of land to be disposed of by voluntary means now in the market. The hon. Member does not dispute that; he knows better than to do anything of the kind, and he knows that when I made the statement that there never was a time when there was more land in the market to dispose of than there is at present, I made a statement which, in the opinion of everybody save the hon. Member, is literally, absolutely, and notoriously true. "Someone," said the hon. Member, "must give way." Granted. Someone must give way. But did the hon. Member find any unreadiness on the part of the landowners in England to give way when the Allotments Act was passed?

MR. WHITBREAD: Yes, before there was compulsion in it.

*MR. CHAPLIN: The hon. Member says before compulsion was in it there was unreadiness. The hon. Member is so little informed upon the subject that he is evidently not aware that the Act never was without compulsion. The hon. Member had not a word to say that was good of the Bill. The right hon. Gentleman the Member for Midlothian, on the night this measure was introduced, described it as an honest measure, in the right direction. What did the hon. Member for Bedford say on the subject? He says it is a futile measure; dangerous, because it is impossible that it can succeed: a measure with regard to which he ventured to think I never hoped or intended to succeed, and a measure which would end in nothing but disappointment to the class for whose benefit it is intended. If that be the hon. Member's opinion, why, did he not oppose it on the Second Reading like a man? If I may be forgiven for saying so, a feebleness of exhibition than the attitude of the hon. Member, and a better illustration of the man who is willing to wound and yet desperately afraid to strike, I do not think I have ever seen. Now, Sir, I am still at a loss to know, though I have asked the question several times, what are the reasons and arguments in favour of compulsion. There has not been one single valid argument adduced throughout the whole course of this

Debate except this—that you cannot get the land so cheap without it. It is, I believe, in the minds of hon. Members opposite only a question of the price at which the land is to be obtained, and nothing else. They hope and think and believe, as the hon. Member for the Ilkeston Division said, that compulsion will prevent the price of land rising in the future—that is to say, that it will depreciate the value of the property of the landowner, and compel him to sell at a cheaper rate.

SIR W. FOSTER: I wish the right hon. Gentleman would not impute to me what I have already denied. I said compulsion would prevent land being raised in price—having an artificial value attached to it by the advent in the market of the new purchaser, who will be created by the Bill.

*MR. CHAPLIN: The hon. Member said compulsion would prevent the land from rising in value. That is the object of his proposal. He drew a distinction between preventing land rising in value and depreciating in value—a distinction which I cannot say that I am able to comprehend. But, granting that it is so, how is it possible to justify the measure on those grounds? It is said this Bill contemplates a national object. If that is so, then why throw the burden of making this national object a success, when you say cheapness of land is one of the first requisites, upon one class of the community, and one class alone? We have had no answer to that question, although it is a question we have a right to expect answered before accepting any proposition of that kind. I must own I am astonished at the passionate devotion, as it seems to me, of hon. Gentlemen opposite to this principle of compulsion. Because, Mr. Courtney, when you come to consider it, what is the meaning of compulsion? Compulsion, after all, is only another word for coercion, and in this case for coercion in a most aggressive form. When coercion has to be applied in order to protect the weak and the helpless from the lawlessness, the tyranny, and the oppression of the strong, when it is applied to coping with outrages or to extinguishing crime and giving security to the person, and the property and the lives of the sub-

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jects of the Queen; above all, when coercion is applied to banish the disgrace reflected on our common civilisation by occurrences like those of which I only read this morning, of the barbarous mutilation of dumb animals, then, Sir, both coercion and the Government which enforces it are held up by the right hon. Gentleman and his friends to the odium and the execration of the people in every constituency throughout the Kingdom. But when compulsion comes to be directed only against landowners, in order to depreciate the value of the property they possess, then it is, Sir, that coercion goes home with a responsive echo to the heart, and is garnered in the inmost feelings of every good and every pious Radical in the country as the symbol of everything that is sanctified and blessed, and the idol before which he is constrained to kneel, in worship and in adoration. Sir, it is because I object to the inconsistency of the attitude of hon. Gentlemen opposite that I protest against their arguments, and I hope I have done something, however small, to tear away the flimsy veil of their pretences on this question. We have listened fairly to—we have entirely disposed of—their contentions, such as they have been, and we are now of opinion that we may reasonably be allowed to arrive at a decision on this subject. Nothing, I believe, could be more injurious to the future prospects or working of this Bill than the principle of compulsion. But be that as it may, we shall not suffer it to be wrecked by the maladroit attempts of hon. Gentlemen opposite to improve it by what they call Amendments, but what I can only regard as obstructions to the satisfactory working of this measure; and I call upon the House of Commons with confidence to support me in resisting a proposal which I am perfectly convinced, in all the circumstances of the present time, will do more than anything we can imagine now to retard the successful operation of the Bill.

*(6.12.) MR. LAMBERT (Devon, South Molton): The right hon. Gentleman has said that he would call upon the House of Commons to give a verdict upon this question, and he confidently expected a favourable verdict; but I

do not think he would confidently expect a favourable verdict on this question if he were to call upon the newly-elected Members in the agricultural districts. He has also defined compulsion as meaning coercion. If it meant coercion I should certainly say it would receive the approbation of hon. Gentlemen opposite, for it certainly seems to us that they are maintaining compulsion or coercion where we think it has failed. The right hon. Gentleman has not attempted to answer the argument which has been placed before him by more than one speaker—namely, that if compulsion is necessary for acquiring allotments of one acre, why is compulsion not necessary for acquiring holdings of three or four acres or more than that. We all admit that this is somewhat of an experiment; but our policy, indeed, our reason for proposing this Amendment, is that we want to make this experiment as successful as possible, we want to give it a firm basis in the rural districts. And I apprehend that it will only be by the introduction of compulsion that the measure can be made such a success as we all desire to see it. It seems to me if compulsion is not added to this Bill, if landlords in one portion of a county or district do not sell, and the County Council invests its capital in buying land in other portions of the locality or county, they will at least be guaranteeing their funds from one locality for the benefit of the other, and that certainly will create grave dissatisfaction in the rural districts. The argument about friction has been dealt with by other speakers before me, but it seems to me it would be a very poor opening indeed if a small holder had to look to the charitable instincts of his neighbours in order to make him a successful small holding owner. We certainly think that County Councils are Bodies that may fairly be entrusted with this power of compulsion. They would not take any undue advantage of it, but would use it only when necessary and with the greatest fairness. It has been stated by hon. Gentlemen opposite that there may be grievous injustice executed under this compulsory legislation. The Leader of the House has also stated that compulsion may be recklessly or ill applied,

but it seems to me that does not come well from hon. Gentlemen opposite who have claimed so much credit for creating County Councils; and yet seem to be afraid to trust them. County Councils surely know the local circumstances of the case, they would not use these compulsory provisions unless they believed in them, and that they were absolutely necessary, and if land is not to be acquired unless by compulsory measures, why should not compulsion be used. I say it is infinitely more important that the rights of the community should be considered than the rights of one individual, to whom no injustice could be done because he would get a fair price for his land. I would strongly urge that in my opinion compulsion would undoubtedly oil the wheels of the machinery of this Bill, by quickening the apprehension of the landlord who would otherwise be unwilling to sell. The right hon. Gentleman has stated that compulsion cannot be carried into effect, and he cited the *St. Faith* case as an example. It seems to me that the *St. Faith* case is not an argument against compulsion but against the complicated system which has been introduced before compulsion can take effect under the Allotments Act. I do hold that a system of compulsory leasing will be of infinitely more advantage to the agricultural labourer than any attempt to create small holdings. There are very few agricultural labourers who can acquire the capital necessary—£150 to £200—to become small holders under this Bill, and small capitalists are not the ones we want to benefit by legislation. Men with £150 or £200 are not leaving the country districts, and this measure would not touch the class it is intended to touch—namely, the pure and simple agricultural labourers. Compulsion is very much more necessary when it is a question of leasing small holdings, for it is of paramount importance that the holding of the labourer should be in a convenient situation to his dwelling. It certainly would not pay him or the landlord to put up buildings upon a small holding, whereas the labourer's dwelling does constitute a building which he would be able to make use of. And if he can have this small holding near his home it would be a great

incentive to him to better his position in life. Under this system small holdings may be carried into effect, the labourers may be able to take advantage of them, and perhaps in time they will be able to become owners. And I say from experience in country districts and of the County Council in my own county, there is not the slightest fear that the County Council will take undue advantage of this power, but that, without the principle of compulsion, this Act will be the same conspicuous failure which the Land Purchase Bill of last Session has proved to be.

(6.20.) Question put.

The Committee divided:—Ayes 184; Noes 226.—(Div. List, No. 77.)

(6.35.) MR. T. E. ELLIS (Merionethshire): The rejection of the last Amendment doubles the necessity for enlarging the scope of the Bill in regard to the acquisition of land. I should have thought that word would have covered more than the fee-simple, but after the explanation which the President of the Board of Agriculture has placed upon the word it is necessary this Committee should give its opinion as to widening the means for securing land for small agricultural holdings. By the rejection of the last Amendment the Committee has taken away the guarantee that land shall be got where land is most wanted for this purpose, and has taken away the guarantee that land shall be bought at a fair market price by the County Council for small agricultural holdings. It seems to me the argument the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) used on the Second Reading of the Bill is practically conclusive as to the value, the enormous value, of this or some such Amendment as this I have to propose. The provision which the right hon. Gentleman (Mr. Chaplin) has inserted in his Bill, that no money can be raised over and above what may be met by a penny rate, imposes an important restriction on the power of the County Council, and it becomes of enormous importance that every facility should be given to the County Council for obtaining land on the best and easiest possible terms. Now, what are the terms for obtaining

land—for the purchase of land—in fee-simple? The first difficulty is that it must be extremely small in quantity. Take the case of a small county with a rateable value of a quarter of a million, the amount at the disposal of a County Council in such a county would be £25,000 according to the reply the right hon. Gentleman (Mr. Chaplin) gave to a question the other night. This amount of £25,000 would not allow the Council to provide more than one or two small holdings in each parish. For the accomplishment of this the County Council will have to undertake the choice of the land; then an enormous amount of time and energy will have to be expended in the negotiations for the purchase of these one or two small holdings; then if negotiations are concluded there will be the difficulty and expense of proving the title; and the time and cost of concluding the transaction repeated in the case of the land for each parish will be enormous. But suppose we take the other alternative, and give the County Council power to take land on lease or to hire land? The County Council would, in the first place, have the choice as to how the land would best be taken. In many cases they might find it impossible to obtain the fee-simple where the owner would be unwilling to sell or would only sell at a price the Council would not be warranted in giving. But the owner might be willing to lease a farm of large size, retaining ownership and not breaking the entirety of his estate. In the ordinary course of events a farm may become vacant and a number of acres may be at the disposal of the County Council much in excess of the amount of land they could acquire by means of purchase. From the point of view of the County Council there would be much more opportunity of meeting the demand for small holdings, and there would be an advantage from the point of view of small holders. The right hon. Gentleman the Member for Midlothian in his speech to-night, and on a previous occasion, has shown conclusively that it is impossible for the ordinary agricultural labourer to take a small holding on the terms presented in the Bill. Take the case of an allotment holder who, in good circumstances, has been able to avail

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himself of the Act, or take the case of a labourer who has lived on the homestead, and, paying no rent, has been able to save £150, and is anxious to have a small holding. Under the terms of the Bill he would have to pay a quarter of the purchase money for ten acres, say £25, and for securing the title and making the land his own he pays, say, £140, and is left with £10 to stock his farm, begin his buildings, and provide for his first instalment of the remaining three-fourths. It has been shown conclusively that it will be absolutely impossible for any appreciable number of agricultural labourers to avail themselves of the provisions and benefits of the Bill. I hope that I need not delay the Committee any longer, and that the Government will accept this and consequent Amendments largely increasing the powers of County Councils to obtain land, and largely increasing the opportunities for agricultural labourers to secure small holdings. These may not be the right or the only words by which the object may be effected; but without the acceptance of some such words I feel certain, more especially after the rejection of the last Amendment, that the Bill will be a failure, to the disappointment of agricultural labourers, whose hopes have been raised by speeches of right hon. Gentlemen opposite. If this is refused there will naturally arise strong feelings of resentment, and punishment will await the authors of a Bill from which so much was expected.

Amendment proposed, in page 1, line 10, after the second "Act," insert "lease, hire, or."—(*Mr. T. E. Ellis.*)

Question proposed, "That those words be there inserted."

*(6.45.) MR. CHAPLIN: I am quite aware of the importance of the question raised by this Amendment. I admit that there is much to be said on both sides, and I hope we may be able to meet the views of a good many hon. Gentlemen on the other side. I think I stated on an earlier stage of the Bill I was greatly attracted by the suggestion of the right hon. Gentleman the Member for Midlothian that land should be acquired by lease or feu; but after carefully considering the pro-

posal I find the balance of argument is against it. I cannot, in the short time now at my disposal, go into the reasons which induce me to think that the principle of the creation of freeholds should be the first thing to be considered rather than the creation of a great number of tenancies. But it has been suggested—and this is the point raised by the right hon. Gentleman (Mr. W. E. Gladstone)—that it might be desirable and possible that Local Authorities should acquire land by feu instead of by purchase, and I have gone carefully into an examination of the Bill, taking counsel with the Attorney General, with the result that we find the power to feu land is conferred upon Local Authorities by the Bill—that is to say, they can take payment by means of a perpetual rent-charge instead of by a capital sum. That gets over one of the main objections of the right hon. Gentleman to the Bill, in the first instance, that Local Authorities require the payment of a capital sum. I recognise that it is desirable that greater facilities should be given to agricultural labourers in particular to have the opportunity of obtaining land on a tenure other than ownership. This is a subject I should like to dwell on at more length than I can this afternoon, for there are some very grave considerations arising on the proposal. But, at the same time, I may say that when we reach Clause 3 we propose to make what we feel is a considerable concession to the right hon. Gentleman. In Clause 3, Sub-section 2, there is this limitation—that in the opinion of the County Council the persons to whom the land is let must be persons who in their opinion will be able, if permitted to occupy a small holding, ultimately to be the buyers. I propose to omit that, and thus give the opportunity, of which labourers may be deprived under the clause as it stands, of obtaining a small holding. It is impossible for me within the limited time left for the Sitting to say more, but we shall be prepared to make this concession, and possibly, when we come to an Amendment later in the Bill, but which has also some bearing on this question, after having heard what may be said on both sides, to make a further concession in the same direction.

Committee report Progress; to sit again upon Monday next.

RATING OF MACHINERY BILL.

(No. 31.)

COMMITTEE.

Order for Committee read.

MR. SPEAKER: The two Motions for Instruction to the Committee are both out of Order. I, therefore, leave the Chair.

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress.

Motion made, and Question proposed, "That this House will, upon Wednesday, 22nd June, again resolve itself into the said Committee."—(*Mr. G. W. Balfour.*)

MR. T. M. HEALY (Longford, N.): I object. The hon. Member takes the first Wednesday after the Whitsuntide Vacation. I object, and I understand that by the Standing Order if objection be taken at this stage the question stands over. I ask your ruling on the point.

MR. SPEAKER: It is for the hon. Member in charge of the Bill to appoint the date when the Bill will be taken unless the House should decide otherwise.

MR. SPEAKER ascertained by the preponderance of voices that the House was in favour of Wednesday, 22nd June.

Committee to sit again on Wednesday, 22nd June.

MAIL SERVICE (IRELAND) CORRESPONDENCE.

DR. TANNER (Cork Co., Mid): With reference to the correspondence on the acceleration of the Dublin and Queens-town mail service, may I ask if my Motion will be granted?

MR. SPEAKER: Order, order!

DR. TANNER: I shall put it down for Monday.

THE EASTER RECESS.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manches-

ter, E.): I said something at two o'clock to-day as to the possibility of my making a statement at this hour regarding the Easter holidays. I find it will be more convenient if I make the statement at the rising of the House to-night, and this I shall be prepared to do.

EVENING SITTING.

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE SEPTENNIAL ACT.

*SIR WALTER FOSTER (Derby, Ilkeston): I beg to move the Resolution which stands in my name, viz.:—

"That in the opinion of this House the Septennial Act should be repealed for the purpose of shortening the duration of future Parliaments."

In doing so I will ask the indulgence of the House while I endeavour, in a short space of time, to open this truly important subject, which, on many occasions, has provided matter for Debates of considerable interest. In the first place, I wish to say that I intend to discuss the subject as far as I possibly can without the introduction of anything like Party passion, and to treat it from the general point of view of the electorate of the country. My first object is the repeal of the Septennial Act, and then I propose that the duration of Parliaments should be shortened. The Septennial Act dates from 1716, and was passed to meet a temporary danger to the Constitution. That danger has long since passed away. The Preamble of the Act sets out the reasons for it in a clear and definite manner. Among other reasons it recites that the Triennial Act—

"If it should continue, it may probably at this juncture, when a restless and Popish faction are designing and endeavouring to renew the rebellion within this Kingdom, and an invasion from abroad, be destructive to the peace and security of the Government."

The Act referred to the rebellion then happily suppressed, but there was

still some danger of a renewal of disturbances from frequent Elections, and consequently the lengthening of the duration of Parliaments from three to seven years was carried out. At that time it was regarded by many, and more especially by the Representatives of the Tory Party, as an encroachment on the Constitution which made three years' Parliaments the law: an encroachment on the part of the Whigs, no doubt justifiable, although there were strong protests against it. In the House of Lords there was a very strong protest from 30 Peers against the Bill signed by the Duke of Devonshire and Lord Salisbury. But protests in either House were ineffectual, and the duration of Parliaments was extended from three to seven years. The Triennial Act thus repealed was passed in 1694, and the Preamble of that Act declared—

"Whereas by ancient Laws and Statutes of the Realm frequent Parliaments ought to be held, and whereas frequent new Parliaments tend very much to the happy union and the good agreement of the King and his people."

Well, there are many of us on this side of the House, and I hope many who have inherited the principles of their predecessors on the other side of the House, who still feel that frequent Parliaments are for the good of the nation at large, and bring about a closer sympathy between the rulers and the ruled. At one time the Motion I am now moving was repeated almost annually in the House of Commons. It was repeated for a long number of years while the Whigs remained in office, not only by the adversaries of the Whigs, but by a faction of the Whigs called "Patriots." From time to time attacks on the Septennial Act were renewed until, in the course of political events, those who led the attack obtained seats on the other side of the House, when the zeal of reformers in Opposition gave place to the complacent indifference of statesmen in Office. These yearly Motions of the old reformers were carried on to nearer our own time. In the early stages of Parliamentary reform we had this shortening of the duration of Parliaments made one of the chief planks in the Liberal platform. It was among

the six points of the People's Charter, and in all the early discussions of reform it ran close in importance to the extension of the franchise. I do not propose to-night to enter at any further length into the history of this great question, but this I will say—that the old Debates on the subject will well repay perusal by any hon. Member who may devote time to them, not only from the rich quaintness of the language and arguments used, but from the energy of the opposition to the extension of Parliamentary life. The history of the custom of yearly or triennial Parliaments was most eloquently expounded in the last Debate twelve years ago by Mr. Joseph Cowen, then Member for Newcastle. Twelve years ago seems a long period for a question like this to remain dormant. But it has slumbered only—it has never died. In 1883, when Parliamentary reform was in the air, it was much discussed, and popular feeling was strong in its favour. But it became overshadowed by the question of the extension of the franchise—that great and crowning triumph of Parliamentary reform in our day. And this other question, deemed subsidiary, but intimately connected with the freedom of the popular voice, was allowed to take a secondary place, while the extension of the franchise absorbed the attention of the Legislature. But the notion of making the life of Parliament an entirely secondary question is, I think, founded on a mistake, for the possession of a vote is only of avail when associated with the opportunity for exercising it. To give a large extension of the franchise, and to keep from the people, or a large number of them, their just opportunity of making their voices heard in the election of the Parliament that rules them and makes their laws, is a one-sided and unequal distribution of the benefits of reform. This point was argued in the Reform discussions of 1883, and an admirable history of the movement for short Parliaments was written by Mr. Alexander Paul, full of quaint extracts from the speeches of the old reformers. In 1886 there was evidence that the feeling had still been growing, for ever since then there has been year by year before the

House a Bill most ably drawn for a complete scheme of reform, introduced by the hon. Member for Bethnal Green (Mr. George Howell); one of the points of which has been the limitation of the duration of Parliaments—the repeal of the Septennial Act. Now, I want to-night more especially to call attention to the effect of the Act on the duration of Parliaments in more recent times. I think I shall be able to show, from reference to the duration of Parliaments since the Act was passed, that the effect has been to lengthen the life of Parliaments, and that that effect has been increasing in late years. If we take the first period after the introduction of the Act, from the date of its passing, 1716, to 1801, we find that in that period there were 13 Parliaments. Of these eight lasted over six years, three over five and a half years, one nearly five years, and one three years and five months. So within that period, the Act passed for lengthening the duration of Parliament, and directed to meet the dangers of a time when rebellion was rife, and appeals to the electorate were said to be dangerous, had full effect for the purpose intended. Now from 1801 to the present time there have been 22 Parliaments, giving an average of over four years each, so that the duration of Parliaments from 1801 to the present time may be said to be limited by practice to that period of four to five years. Of these 22 Parliaments three lasted over six years. Six (including the present) lasted over five years. But if we compare different periods since 1801 we find that the duration of Parliaments has varied considerably. From 1801 to 1830 there were seven Parliaments, giving an average of about four years each. From 1830 to 1860 there were ten Parliaments, giving an average duration of three years. Then, if we take the period from 1860 to the present time, we find six Parliaments, giving an average duration of over five years. The tendency, therefore, in recent times has been to increase the duration of Parliament to five years, whereas the average of the 92 years since 1801 was only a little over four years. An increase in the length of Parliaments in recent times has, then, been brought about by

the operation of the Septennial Act, aided to a considerable extent by the presence of powerful majorities under the personal influence very often of Prime Ministers of exceptional genius and ability. But this action has not been popular, and I think the best evidence of the unpopularity of long Parliaments is shown in the extreme swing of the political pendulum in successive elections. If we take the more recent elections this is most clearly made out. In the period since the Reform Bill of 1868 it comes out in remarkable figures. In 1868 a Parliament was elected in which there was a Liberal majority of 128. That Parliament lasted five years one month and 16 days. Well, on an appeal to the electorate in 1874 the representation was almost reversed, the pendulum swung over to the other side, the Conservative majority became 106, replacing the Liberal majority of the previous Parliament of 128. This Conservative Parliament of 1874 lasted a little longer than its predecessor, six years and 20 days. Then in 1880 we find the figures exactly reversed; the Conservative majority of 106 was replaced by a Liberal majority of 106. This Parliament of 1880 with a Liberal majority of 106 lasted for five years six months and 20 days; but during the last few months of that period the Liberal majority were not in office. In 1885 an appeal was made to the country, after there had been considerable alterations in the franchise. The county franchise was extended, and a numerous class was added to the electorate. Now, on that occasion the new Parliament returned a Liberal majority of nearly 100, exclusive of Irish Members, and that apparently falsifies the law I am endeavouring to establish—namely, that lengthening the duration of Parliament brings about a swing of opinion to the opposite point. But if we analyse the direction from which that majority came, we shall find that the law I am endeavouring to lay down was maintained even in this exceptional instance. In 1885 the appeal was made to a great and new electorate in the agricultural districts of the country through the extension of the franchise to rural labourers; from these came the Liberal majority. If we look,

however, at those parts of the Kingdom that returned Members to the House on the old electorate — the boroughs where the franchise had not been altered by the Reform Act of 1884—there we find the same law still holding good. The Parliament of 1880 gave in the boroughs 85 Conservative Members and 185 Liberals, giving the latter a majority of 100 in the borough representation; the Parliament of 1885 showed 115 Conservative Members from the boroughs and 110 Liberals, a Liberal minority of five in the boroughs to replace a majority of 100. So, my contention is unaltered by the result of the Election of 1885, the swing of opinion, as before, endeavouring to substitute a change of Parties in consequence of the undue prolongation of Parliamentary life. Now, I think the inference from the figures I have given is that there grows up in the constituencies a feeling of resentment against too long a duration of Parliaments and the long continuance of one Party in power. I do not think it is due merely to fickleness on the part of the electorate as some have said; on the contrary, I believe the electorate never were more inclined to follow and maintain the principles they have adopted, but I believe the electorate do get tired of one set of men being in office too long. People in the present day know the character of the work of Parliament. Parliamentary work is carried on under a vigilant scrutiny of the people of this country such as did not exist in the old time, and I think they have noted the fact, and taken it to heart, that in all the Parliaments to which I have referred the best work has been done in the earlier years. So we must agree it was with the Liberal Parliament elected in 1868. The great legislative work of that Parliament was done in its earlier years, and I believe the fortunes of the Party would have been better, if the Government had retired a year or two before they did, instead of holding on to office for the period I have indicated. Certainly, with reference to the Parliament of 1874, its best work was done in its earlier years, particularly in its social legislation. That Parliament, although it kept a Government in office by a vigorous majority

for a number of years, and had the influence in its favour of the so-called "Jingo" fever, yet that Parliament outlived the impulse of "Jingoism," which subsided under the eloquence of the right hon. Gentleman the Member for Midlothian (Mr. Gladstone). Again, with reference to the Parliament of 1880, setting aside the great Reform Act passed in its last days, it did its best work in its earliest years. It would seem as if these long-lived Parliaments, after three or four years, lose touch with the people, and cease to be in harmony with the desires and aspirations of the electorate, and so, when the appeal is made, the Party in power meet with the condign punishment of a reversal of the judgment given at the previous Election. This is natural, I think, on other grounds. If one considers for a moment the enormous alterations in the electorate itself, there is ample reason for the constituencies becoming out of touch, out of harmony with a Parliament which has lived so long. Taking the figures of the last Census of the United Kingdom I find we have every year 255,000 men becoming eligible by age to be put on the register. Unfortunately, only a small proportion of the number do get on the register; but a considerable number are added every year, and we may expect, as time goes on, and the difficulties of registration are removed by future legislation, that many more thousands will be annually added to the electoral roll. Taking England and Wales, I also find that since 1886—that is, in five years—there has been an average of nearly 90,000 electors added each year. This is an enormous addition to the voting power of the country, especially when we consider that at the last General Election 100,000 votes would have made a vast difference in the representation of Parties in this House. Multiply this 90,000 by five, and we have nearly half a million of new electors at the end of a five years' Parliament. That is not all. According to statistics, it may be estimated that 74,000 persons die out of the register every year, and, adding these, there are thus in round figures 164,000 changes in the register each year, and the grand result is that there

is a change to the number of 820,000 votes in the electorate to which a Parliament appeals at the end of five years. That is an enormous change: one-sixth of the entire electorate changed during the existence of a five years' Parliament. Is it any wonder that under such circumstances, at the end of its long life, a Parliament ceases to be representative? Is there not truth in the comment of an old Member, made two centuries ago, that Parliament is like manna—when it first comes from Heaven, it is fresh and pure and sweet in the mouth, but if kept long it only breedeth worms?—a forcible way of describing the corrupting influence of time; but that influence in the decay of sympathy with the people, and in the want of harmony with popular wishes, exists in these days, though it is referred to in less forcible language. This enormous change in the composition of the electorate is sufficient to account to some extent for the extreme swing of the political pendulum, and I believe the shorter duration of Parliaments would result not only in greater harmony between Parliament and the people, but in greater stability in the composition of the House of Commons itself, and by that very stability would afford opportunity for a more continuous policy in matters domestic and foreign. I have not in my Resolution fixed any time limit for the duration of Parliament; that may be left for statesmen in the future, who will draft the next Bill dealing with the subject; but I hope, when they do consider it, they will limit the duration very considerably. So far as my own opinion goes, I would say four instead of seven years. When we think of the changed conditions of life since 1716, seven years of our day are equal to 20 of the olden time. That is not an exaggerated estimate when we consider the enormous advances we have made in popular knowledge and education, the great influence of the Press on public opinion, the means of rapid communication with people far away from us, the wonders worked by electricity, the almost miraculous annihilation of space, the great characteristic of modern scientific progress—taking all these things into consideration, I think we must agree that if in

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1716 seven years were long enough for the duration of Parliament, it is vastly too long a period in 1892. Parliament in a long life changes its attitude to the people, but represents in itself comparatively little change. Members sent here to vote for either Party retain, and very often acquire, an additional dose of the original sin called "political partisanship." They retain the same attitude they assumed at the time of election towards great questions then occupying men's minds. We know in the present Parliament how solid has been the majority on one side of the House in carrying out a policy which we believe will be reversed when an appeal is made to the country. But although Parliament remains very much the same, I have shown from figures and other arguments that people outside change very much, and so the influence of the constituency on the Member, or of the Member on the constituency is, I think, considerably lessened. As "Junius" wrote—

"With regard to the influence of the constituent over the conduct of the Representative there is little difference between a seat in Parliament for seven years and one for life. The prospect of your resentment is too remote, and although the last Session of a septennial Parliament may usually be employed in court- ing the favour of the people, consider at this rate your Representatives have six years for offence and but one for atonement. A death-bed repentance seldom reaches to restitution."

That opinion of "Junius" is appropriate, I think, to the present day. Although a Government may in the last year of office, with the death rattle almost in its throat, pay more deference to opinions to which they paid no respect in former years, yet that does not come up to the point of restitution, and does not atone for the wrongs arising out of a too long duration of Parliamentary life. But there is a change in Parliament in other ways. In four or five years the Members change not only in their relations to their constituencies, but become more crystallised in their Party vote. An old Coventry Member once said, "Men come hither free men, but are here made bondmen." Hon. Members opposite, who have long been under the domination of the Whips, can appreciate what it is to be a bondman in the present day. It may be

good discipline for individual Members, and essential for the success of the Party in office; but at the same time it produces facile votes: a result not always desirable in what ought to be the independent Representatives of the constituencies of the country. In shorter Parliaments Members would have a somewhat happier lot than at present. Their lot would be rendered happier by the inward conviction that they were in closer sympathy with their constituencies. It must, I am sure, be unpleasant to any Member of this House to feel he is out of touch with his constituents, and that feeling must overtake many of us in the course of a long Parliament. If there is one thing more than another which makes a seat worth holding in this House and an honour to the holder, it is the fact of being the real Representative of the wishes and feelings and interests of the people you represent. Nothing else would make the drudgery of Parliamentary life at all tolerable to the mind of an independent man. Mr. Bright expressed his opinion on this point in very forcible language in a Debate on Parliamentary Reform. He said—

“He believed it would be better for Members if they were more responsible to their constituents at the beginning of a Parliament. He found them suffering from an intense feeling of responsibility just before a Dissolution. He should like that the feeling of responsibility should be spread over the whole period of Parliament. He believed that it would add very much to the conscientiousness with which Members would perform their duty to that House. It would render it difficult for the Government to call a Party meeting in Downing Street to frighten them with a Dissolution, a course pursued by Governments from both sides greatly to the injury of the House.”

That feeling of responsibility to the constituency is one of the most wholesome feelings that can exist in this House, and would be strengthened and maintained by a shorter duration of Parliament better than by the present system. It has been urged that shorter Parliaments are not advisable on the ground of expense. None of us desire too frequent elections; but once in four years would not be too often to call on Members to bear the expense. I think the expenses would be lessened by shorter Parliaments, even if they were not lessened by law. Members

would find it less worth while to spend money for a seat for three or four years than they do now for five or six years. On the other hand, it is contended that the personal labour of Parliamentary life would be increased. I am not at all convinced on that point; I believe, if anything, it would be lessened. At all events, it would not be worse than during the last five years. For that period Members on both sides have been engaged, as it were, in a continual election contest from one end of the country to the other, and the result has been a great strain on public attention, and on the health and strength of individual Members. Another result has been the building up of a great political programme for the Party to which I belong, which we hope to carry out. Hon. Members opposite say that a four or five years' Parliament would never carry out the Newcastle programme; we are prepared to take the risk. We feel that so much of it would be carried out that we could appeal with confidence to the electors to give us a chance of carrying out the rest, and in future such great programmes would not grow up, because the desires and wishes of the people in three or four years would not be so great as they become in five or six years. Another point is that the personal change in long Parliaments becomes very great. It is argued that shorter Parliaments would introduce many new men. I think we have seen many changes in this Parliaments, and we hear on all sides of a number of men who are unwilling to come back to the arduous labour of Parliamentary life, and no one can regret that more than I do. I think that would be prevented if we had shorter Parliaments; a larger number of Members would be willing again to serve their constituents than under the present system. The results of inquiries in foreign countries as to the duration of Parliamentary Bodies ought to convince this House that we, the mother of Parliaments, have been lagging a little behind our offspring. In none of our colonies have we sanctioned septennial Parliaments, and in no other Continental country is the duration, seven years. We believe work would be more effec-

tive with shorter Parliaments; we should come fresh from our constituencies with a fresh mandate, and carry it out in the first three or four years of our existence, and not drag on, as sometimes happens, a comparatively useless life to the end of the tether allowed by law. The practice for the last 100 years has been for Parliament to dissolve in about four years; I do not see why that should not be sanctioned by law, and so the law made to agree with the practice. There are many other points and arguments which I will not trespass on the time of the House to give, but, in conclusion, I thank the House for its indulgence, and hope that this Resolution will receive support from both sides. The Tory Party were the first and strongest opponents of the Septennial Act, and I hope their descendants have not degenerated. It is true that at that time they were out of office, and remained so for many years. It has been said that "no one man in office has ever promoted or encouraged a Bill for shortening the duration of Parliament." If that has been true in the past, I hope it will not be so in the future. The opportunity now rests with the Leader of the House; he has the opportunity of saying that he agrees with the old Tory principle of shorter Parliaments. He described himself the other night, in a very interesting speech, as "an old Tory politician." I ask him to-night to support old Tory principles and vote for shortening the duration of Parliaments. If he does so—the authorities are not all on my side of the House—I would refer him to many distinguished Members of his Party who have worked in this cause. I would refer him to the most distinguished of his predecessors in recent times — Mr. Disraeli — who, in 1848, said—

"I am the less inclined to say anything against Triennial Parliaments, because they are part of those old Tory principles which I have ever taken every opportunity of propagating; they are a portion of that old Tory creed around which I am happy to observe more than one indication that the people of this country are inclined to rally."

If he lets them rally round it to-night he will do much for the benefit of Parliament, and for bringing about that purification of it, which results

from an appeal to the people. There are many distinguished Members of former Parliaments whom I might quote on my side—Members of the Whig, the Radical, and the Tory Parties—but I think I have given enough to back up my appeal to the right hon. Gentleman, and I would appeal beyond him to this House, to shorten the duration of Parliaments in future. I believe it would add to the dignity and character of the House of Commons, and to the usefulness of our legislation. It would bring about a higher and better relation between the Crown and the people, and finally make the House of Commons, in the highest and best sense, what it ought to be—in the words of Mr. Pitt—"an Assembly united to the people by the closest sympathies."

* (9.43.) MR. ROBY (Lancashire, S.E., Eccles): The Mover of the Resolution has spoken with so much force and clearness that there is no need for me to say more than a few words in seconding the Resolution. In fixing the duration of Parliament we must be guided by two considerations—it must not last so long that it will get out of touch with the people or lead them to be discontented because they have not an opportunity of expressing their opinions. On the other hand, the period must not be so short as to disturb the progress of business by frequent elections. I do not think anybody is in favour of extending Parliament beyond seven years, and then there is the other side of the question. I remember very well the agitation in favour of annual Parliaments. A great many of the proposals of the Chartists have become law; that one has not, and I do not think it has grown in favour with either people or politicians. But seven years is much too long. My hon. Friend has shown that long Parliaments get out of touch with the people. He has shown it *a priori* by pointing out the inevitable change in the electorate which is made by a few years, and *a posteriori* by showing that on a dissolution of a long Parliament, the election has proved that the people were thinking very differently to what Parliament was thinking. I do not fear large changes in many things; but I desire that change

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should be gradual; and if it be gradual and not revolutionary, it may in the long run be very great, and yet be perfectly safe. Parliament ought to exist only so long as the Members represent the people; it is not desirable that they should sit one day longer than they possess the confidence of the people. I do not measure that confidence by momentary impulses and expressions of opinion. The people elect us, and we come here to legislate according to their wishes, and so long as we have reasonable ground for believing that we are, on the whole, representing their wishes, there can be no legal or constitutional objection to our continuing to occupy our positions. But when we find that a change is in progress, and that it is continuous and progressive, and is increasing from year to year, then it is time for Parliament to be dissolved. I have no desire to speak in any Party spirit on this occasion; but I think those who have looked at the bye-elections for the past four or five years will find abundant evidence that the wave or tide which has been advancing is a real tide, and not merely a splash of the waves in one or two places. It is shown, as all tides are, by rising high in some places and lower in others, but it is continuous and almost universal. I have examined the bye-elections for two years and there has been a gain for one Party—the Liberal Party—in every election but four, and only one of those four is really of very substantial importance, that of Aston Manor; and in two other cases there was only a slight diminution of the Liberal majority. I want to ask whether there is not another indication, not only that seven years is too long, but that the present Parliament has sat long enough? I have been struck during the short time I have been in the House with the air of languor manifest in the great mass of the Debates and the small attendance on all but very important occasions. It is not at all uncommon to find present only 20 Members on the one side and 20 Members on the other out of 670 Members. As a general rule there are more persons at a Division than are present in the House, and during the present Session, until

yesterday, there were only four Divisions where there were more than 400 Members present—that is, very little more than half the total number of Members have shown by their votes that they take any real part in the business of the House. I think that is some indication that this Parliament has reached its period of real usefulness. If this kind of thing is to continue, it would be well to revert to the old practice under which the Sheriff required two persons to stand surety that the Member would attend when elected. Is it not natural that after four or five years many Members should have had enough of active service in the House? It should be remembered that many of us are elected late in life, and our time is not always at our own disposal, and that the hours of attendance are likely to make those getting on in years somewhat weary. We should get Representatives to sit for periods during which they would not get wholly out of sympathy with the work, or unable to perform it properly. But the main consideration is, does not this period of seven years put the Members out of their proper relation to the people they are professing to represent? At the present time this House does not represent the opinion of the people of England, Scotland, and Ireland, in 1892; what it really represents is a slightly modified expression of the opinion in 1886. It is not safe for the country generally, it is not wise for us as Representatives, or judicious for the people who desire to see their wishes carried out and work done, that we should stay one day longer in office than the confidence of the people is fully placed in us. Seven years is very different now to what it was at the beginning of the last century. The people of England are not separated by great distances, as many of them were, from the proceedings of the House, so that they only got occasional glimpses of what took place in the House. They are practically present with us, and it is obvious that they come more quickly to a decision than they used to do. And I do not think we shall be doing our duty if we do not give them more frequent opportunities of saying who shall be their servants, what measures they consider most important,

and what principles they desire to be put in action. I do not wish to lay down any arbitrary rule as to the period, but I am inclined to think that five years instead of seven years would be quite long enough, for that would mean practically a four years' Parliament. Some people, I know, think that a little too long; but I think in that time a Parliament acting with vigour, and carrying out the instructions of its constituents, would do very much more useful work than a Parliament which drags out a weary existence in its last years under the Septennial Act.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "in the opinion of this House, the Septennial Act should be repealed, for the purpose of shortening the duration of future Parliaments,"—(*Sir Walter Foster*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(9.58.) MR. AMBROSE (Middlesex, Harrow): I wish to congratulate both the Mover and Seconder on the conciliatory tone they have adopted, and the moderation of the views they have expressed. But I have been somewhat struck by the peculiarity of their arguments, because, as I understood them, what they have put forward with a view of supporting this Resolution, to my mind, is an argument in an exactly opposite direction. One of the hon. Members gave various figures representing the majorities in the Parliaments of 1868, 1874, and 1880, and said that the majority of 1868 was changed in 1874, and the majority of 1874 was reversed in 1880. This he declared was calculated to give greater solidity to the Government. I thought it was important to the maintenance of a Government that there should be continuity of policy; that there should not be fickleness on the part of the Government of the day, and that when a policy was declared and acted upon it should be continuous. Take, for instance, the case of Ireland. When the right hon. Member for Midlothian introduced his Home Rule Bill he observed that our treatment of that country had been unequal, and thus unfair, and that at

one time we had a Government which courted the favour of the Irish people, and at another a Government which produced Coercion Bills. That is the swing of the political pendulum, and it is to that very swing that the right hon. Gentleman attributes many of the evils which affect Ireland. I always thought that one of the evils of a strictly democratic Government was that there was no permanence of policy. The populace was fickle, and frequently foiled statesmen in their efforts at wise government. They were apt to be led away by any outcry of the moment, or by sensational articles in the newspapers. Is it the object of this Resolution that the Government and the country should be governed by sensational writers in the newspapers? I have a great respect for the Press, and when the Press produces sensational articles based on fact and reason no one respects the Press more than I do. But that is one thing, and I say that the interests of the British Empire should not be left to the writers of sensational articles or the changeable views of the populace, but should be dealt with by the steady views of statesmen and of men who have been sent to Parliament as the Representatives of the people, and not merely as delegates. That is another point which has been raised. If you are a Representative of the people you do not need to be going back to the people every now and then, because the people have confidence in you. But the whole force of the argument of the Mover of this Resolution is that when a man comes into this House, he comes, not as a Representative of the people, but as the delegate of his constituents, and, as I say, of that portion of his constituents who may force themselves to the front and claim to be the representatives of the people whom he actually represents in this House. That is a very different thing from the position of a Member under present circumstances, when he is really the Representative of the people, and ought to be free from pledges with respect to particular Bills, and free to exercise his judgment on a subject which may come before the House. I came into this House unfettered, and if I come again I will come free to exercise my own judgment.

Mr. Roby

I quite recognise that there are particular questions which affect a constituency sometimes on which the constituency has a right to ask for the support of its Member. But you find one section of a constituency wanting its Member to vote one way on the liquor question and another section wanting him to vote for the deceased wife's sister, and you would find Members come into this House bound hand and foot by their pledges upon the hustings. If it is the wish of the Mover of the Resolution, let us understand it. Are Members of this House to be free to use their intelligence and experience, or are they to be merely the delegates of a faction, and to surrender their own judgment in order that they may carry out the behests of that faction which is most forward at the time of the election? I know of nothing more calculated to hamper the usefulness of a Member of this House than the feeling that he is bound to act upon the instructions of a section who say that they represent his constituents. We all know that as soon as any particular class is affected by any Bill, an organisation is started, with branches and secretaries, and influence is brought to bear in the constituencies, and a number of people who profess to speak in the name of the constituency try to bring pressure on the Member. When I am told that my constituents wish this, that, or the other, I reply that I am their Representative, and I take every opportunity of learning their views, but I decline to recognise any particular section who profess to speak for the whole. And I say I know of nothing so calculated to lower the tone of the House as that Members should give up the position they have occupied and become mere delegates. Another argument which rather pointed the other way was the one that shorter Parliaments would shorten their labours. Does the hon. Member mean to say that as a Parliament ceases the labour of a Member ceases? One of the difficulties which has arisen in this House this Session is that so many Members, under the belief that the Dissolution is imminent, are electioneering and cannot be here. Does the hon.

Member mean to say that that shortens the labours of a Member? It increases their labours fourfold, or even more than that, and I say that frequent election campaigns are calculated so to increase his duties as to unfit him for the honest, faithful, and serious discharge of his duties. The hon. Member who last spoke (Mr. Roby) says that he has observed the languor of the debates, and the small attendance of Members, and half suggested, I believe, that there should be some security for attendance. Does he suggest that the Business of this House would be better done if there were 500 or 600 Members sitting on these Benches than when the ordinary number are present? If he does I disagree with him, for I think that the worst thing that could happen to this House is a large attendance of Members at every Sitting. Such an attendance is not only wholly unnecessary, but it would be found to be very inconvenient. Very little Business would be done. I do not accept the hon. Member's estimate of 20 or 30 as the number generally present in the House. I put the normal number down at something like 100, and I say that number is much safer for the discharge of the ordinary duties of the House than a larger number would be. The work is now done, to a large extent, by delegation. It is not always the same 100 men who are present. A particular question arises, and the men who are interested in that question are present, and those who are not interested may be in the libraries preparing for other questions that are coming on. The other men come in when the Division bell rings, and are instructed by those who have been present. It is, as I have said, a question of delegation. When a financial question is on, the City men are here, and the other Members, when they come in, are content to follow their lead. So it is with questions of Local Government and other questions—the men who are experts on the particular subject before the House are here, and the others are quite content to leave the matter in their hands, knowing that it will be treated with full knowledge. What would be the effect of extremely short

Parliaments? The Members would not have as much experience as is necessary for the proper discharge of their duties. I do not know what may be the experience of other Members, but for a long time after I came in I had a difficulty with the forms of the House. Then I suppose, just as I began to feel my way, hon. Members would wish that I should go back to my constituents, and perhaps a new man comes in who has to go through the experience that I went through before I think the experience of the House, and the knowledge of—I will not say statesmanship, because that would be an impertinence on my part, but the knowledge of Government matters and the affairs of the nation—for one cannot help becoming acquainted with them to some extent in this House—all that would be thrown away if we were constantly changing the Members, which is the view suggested by these frequent dissolutions. But there is another argument against the proposal which is far more important in this connection and which seems to me to be most conclusive. It is a fact, of which we have evidence every day, especially by the questions put to Ministers, that some of those who occupy the Front Bench are supposed at all events to have great difficulty in dealing with the permanent officials of the Government. I want to know if you are to have a constant change of Parliament how are you to keep the permanent officials under control? You must have these permanent officials under the control of Members of the Government who are responsible to Parliament; but if you have these constant changes of Parliament you will have constant changes on both Front Benches, you will have constant changes of Ministers; and the result will be that you will have Ministers who have insufficient experience to assert their proper authority over the permanent officials, and you will have the Government of the day—and if you have the Government of the day then you will have this House—practically controlled by irresponsible permanent officials. There is this further argument: that however much we shorten the duration of Parliaments, we must recognise this fact, that when-

Mr. Ambrose

ever you come to the last year, and a dissolution is imminent, as soon as you come to that the Members of the House have their attention directed to electioneering, and the business of the House is neglected. Nobody has got energy enough to apply themselves to the real business of the House. Suppose you reduce the duration of Parliament to four or five years, as soon as you got into the fifth year the very difficulty which we now see in the case of a seven years' Parliament would be apparent, and there is no getting over it. The next movement would be to reduce it from five to four, from four to three, from three to two, and so it would be brought to a minimum, till, in fact, you would have annual Parliaments, and the swinging of the political pendulum would then be to your most entire satisfaction. But the result would be that you would have no permanency, no continuity. Our foreign policy would change from day to day, our domestic Government would change from day to day, and our policy as regards Ireland would change from day to day. That would be most disastrous. Therefore I shall vote against this Resolution.

(10.18.) *MR. COGHILL* (Newcastle-under-Lyme): The hon. Member who moved this Resolution told us that this question had slumbered for the last twelve years, but I must say that this question might be allowed to slumber on for twelve years longer. I do not remember myself that either in the year 1880, or in the year 1885, when a Liberal majority was returned, this question formed a leading item in the Liberal programme. This Resolution has been most ingeniously worded, because while it proposes that all future Parliaments should be shortened, it evades all mention of the precise term to which they should be shortened. So far as the present Parliament is concerned it is well within the terms of the Resolution. The present Parliament has only lasted five years and nine months, which is a long way off seven years. The hon. Member for Ilkeston would be inclined to set up a Parliament at any particular period; the hon. Member for the Eccles

Division suggests five years. In this diversity of counsels, I should like to ask the right hon. Gentleman the Member for Wolverhampton if he would kindly tell us what is the period that Parliament is to last if the Septennial Act is to be repealed? I think we ought to know what it is proposed to substitute for it. It is all very well for hon. Gentlemen to go up and down through the country talking about triennial Parliaments, and then in this House to bring forward such an innocent indefinite Motion as this about the shortening of Parliaments. I should like to know whether the Gladstonian Party are coming back to power at the next General Election? The hon. Member for Ilkeston says not, because, in bringing forward this Resolution, the hon. Member for Ilkeston has, at any rate, no confidence in the Gladstonians being returned at the next General Election. I should like just to press this question from the historical point of view, and I must say the conclusions which I have formed from studying the Statutes are just in an opposite direction to those put forward by the hon. Member for Ilkeston. The Act 6 William and Mary is referred to as the Act establishing triennial Parliaments. It is quite true that it mentions a period of three years, but what is meant by triennial Parliaments was never taken into contemplation at the passing of that Act, and I will tell the House why. The whole object of that Act was to prevent the King reigning without calling Parliament together. That is shown by the title, which is—"An Act for the frequent meeting and calling of Parliaments." If we go back from that to the 16 Charles II., this becomes still more apparent. If we go back to the previous Statute, 36 Edward III., we find it there provided that a Parliament shall be holden every year; and this is proved more conclusively by the Act 4 Edward III., in which it is provided that a Parliament shall be holden every year once, and more often if need be. That proves that the object of this so-called Triennial Act was not that a Parliament should be held every three years, but that the King should not reign over us without having Parliament called together. The Preamble

of the Septennial Act—1 George I.—which has been referred to is most instructive. It shows, I think, that after a period of 22 years it was found conclusively that the triennial period was not a satisfactory one, and therefore the septennial period was substituted for it. The Septennial Act has lasted for 180 years, and before we repeal that Act I think a much stronger case should be shown than has been shown by the Mover or Seconder of the Resolution. There are four distinct reasons, in my opinion, why the Resolution should not be accepted by this House. In the first place, if the Septennial Act were repealed, and a Triennial Act passed, it would result in a great increase in the Election expenses. Unless we were all millionaires we could not afford to meet the expenses which would be incurred by holding Elections so frequently unless the Election expenses were paid by Act of Parliament, or in some other way. The second objection is, that with all these frequent and almost continuous Elections that would result Members of Parliament would naturally demand to be paid for their services. I need hardly remind the hon. Mover of the Resolution that that subject has been discussed only very lately in this House. The Motion, which was rejected, did not receive the support of the right hon. Gentleman the Member for Midlothian; it did not receive the support of the right hon. Gentleman the Member for Newcastle; and it was opposed in the Division Lobby by that sturdy Radical the hon. Member for the Cirencester Division of Gloucester. There is another difficulty in the way of short Parliaments, which the hon. Member for Middlesex (Mr. Ambrose) has touched on already, and that is, that as frequent Elections would take place hon. Members would be scampering all over the country for the purpose of keeping up their popularity, and they would not be here. The result would be that legislation in this House would come to a standstill, and the legislative business would be almost entirely transacted by the House of Lords over the way. The hon. Member for Ilkeston entirely forgot the existence of the House of Lords. We must

remember that this is not the only House. A comparison is made by the people of the country between this House and the House of Lords; and we hear many remarks made about the excessive amount of talk there is in this House, and that there is very little business transacted; whereas as regards the House of Lords it is just the other way about—there is very little talking, but a great deal of business is done. And there is another objection also with regard to the House of Lords. This House has to contend in a certain sense with the House of Lords as a Legislative Chamber, and if the Members of this House were liable to lose their seats every three years, while the Members of the House of Lords sit there for life and cannot be removed, it is perfectly obvious that the power of the House of Commons must be seriously weakened in contrast with that of the House of Lords. It is not the theory of the Liberal Party to increase the power of the House of Lords; and if it were for no other reason—only this—I should certainly oppose the Resolution. We must remember that the machinery of our Constitution is of a very delicate and complex character, its existence depending on the nice balancing of the different parts. If we disturb this system of balances and checks on which our Constitution exists, then you throw the whole machinery out of work. And I should like to know for whose benefit this great change is going to be made? So far as I know, it is not desired in the country at the present time. There is no great popular outcry in its favour. It seems to me that it is only desired by a certain number of election agents in the country, and possibly by a few restless and unhappy spirits who find their chief delight and enjoyment of life in the excitement, confusion, and turmoil of a General Election. The hon. Member for Dumfries in a recent magazine article has been very candid in the expression of his views with regard to a matter of considerable interest at the present time. I am not prepared to go so far as the hon. Member for Dumfries, who is quite evidently prepared to give up our Constitution and begin over

Mr. Coghill

again. I am not prepared to start afresh in that direction. I think we should be content with our present Constitution, considering, as we have been reminded by the hon. Member for Ilkeston, that our Parliamentary Institutions, whatever may be their defects, have served as a model for all other nations in the world. The hon. Member in bringing forward his Resolution has been very indefinite in his language; and I must say that the appeal with which he concluded was one of the most extraordinary that I ever heard in this House from the mouth of a Member of the Liberal Party. He appealed to the Tory Party because this was a Tory measure. I am a Liberal myself, and I am surprised at the hon. Member for Ilkeston advancing that argument from the Liberal Benches in this House. I hope the House will deal with the Resolution of the hon. Mover to-night in a proper way, and that it will be defeated by a large and decisive majority.

(10.36.) MR. MAC NEILL (Donegal, S): I think the speech of the hon. Gentleman which has just been delivered from these Benches would be a very strong argument in favour of shortening Parliaments, because if such a change were brought about gentlemen who were sent to Parliament as Liberals and voted as Tories would have a short period put to their Parliamentary entertainments. There are some gentlemen whose constituencies have their eyes intently fixed upon them—gentlemen who have passed into this House as Liberals and who vote with the other side—those pseudo-Liberal Members of Parliament. I have said that the gentleman who says he is a Liberal and votes Tory is a pseudo-Liberal. I would not have intervened in this Debate if it were not for the extraordinary theories of history propounded by the hon. Gentleman, who is as ignorant of history as a good Liberal Unionist ought to be; and that is a strong expression. He assured the House that if we interfered with life of Parliament the Constitution would topple down. Does he know that within this reign, as late as 1867, the duration of Parliament was interfered with in a very remarkable and stringent and

strong measure. Until 1867 the demise of the Crown *ipso facto*, or practically within six months after the demise, put an end to the Parliament. Now the demise of the Crown has no effect upon Parliament at all. I think I would be able to show, without fear of contradiction, that it is from the shortening and curtailment of Parliaments that all our constitutional privileges have taken their origin. The hon. Gentleman says that if the Septennial Act be repealed the power of the House of Lords will be increased. The House of Lords did not think so, because the Septennial Act originated in the House of Lords, like many another bad measure of the time. And a remarkable confirmation of that theory is that the Septennial Act for many years—for almost one generation after it was enacted—was considered to be a temporary measure, the real theory of the Constitution limiting the duration of Parliament to three years. In no one of our Colonies has there been a septennial Parliament; and more remarkable still, when in the time of George III., about 1783 or 1784, the American jurists drew up their Constitution, which is admittedly drawn on the model of the English Constitution, they went practically not on the model of the Septennial Act, but on the model of the Triennial Act, which they believed to be the best model and theory of the English Constitution. Hon. Gentlemen on both sides have stated in terms of indignation that they were not mere delegates—that they were Representatives of the people, and not mere delegates. That is utterly at variance with the great principles laid down by the Conservative philosopher Edmund Burke. It is an insolent assumption that hon. Members understand and know better than their constituencies. We are here the servants of our constituencies, to carry out their behests. In that great letter which was written by Edmund Burke to the Sheriffs of Bristol he, it is true, expressed a different view; but that was 100 years ago, when there was no Newspaper Press, when it was a matter of privilege to publish the Debates of this House, and when gentlemen who published the Debates could be sum-

moned to the Bar, and have punishments inflicted on them. He then said he should exercise his own discretion, and that he would be unworthy of his position if he did not do so. A few days ago the hon. Member for Northampton wished to have a Return of the duration of Parliaments, from the date of the first reformed Parliament to the present time; but the First Lord of the Treasury said: "No; let us have the Return from the date of the Septennial Act." The right hon. Gentleman was right from his point of view, because from 1716 to 1784 every Parliament continued for the full term of its existence. In 1784 there was a great majority at the back of Fox, but that majority feared the people and a Dissolution, lest Pitt should be returned, as, in fact, he was returned with an enormous majority. In 1834, Mr. Tennyson, the father or grandfather of the poet, said that up to the time of the Reformation there had been 42 Parliaments, and of these 26 lasted less than a year; that from the time of Charles I. to the Revolution there had been twelve Parliaments, the average duration of which was three years; but that their average duration, excluding the Long Parliament, would not be more than nine months. Therefore, it is clear that this Parliament has exceeded the usual time allotted to the life of Parliaments. I will conclude by saying that as long as I have a humble voice in this assemblage—and I hope that will be for a very long time—I shall never allow any gentleman to say without challenge that he is a Representative and not a delegate. He and every other person who is a true Representative of the people should look upon himself as the representative of their wishes and the mouthpiece of their wants.

*(10.35.) MR. F. S. STEVENSON (Suffolk, Eye): There is a remarkable contrast between the present state of things and those which were in existence before the Septennial Act was passed. The Triennial Act of 1694 was supported by the Tory Party, whilst the Septennial Act of 1716 was opposed by them. Yet on the present occasion, so great has been the change in the constitution of Parties, that we find

the first voice which is raised against short Parliaments is that of the hon. and learned Member for the Harrow Division of Middlesex, and the second that of the hon. Member for Newcastle-under-Lyme. The hon. and learned Member for the Harrow Division argued as if this proposal would impair altogether the character of a Member of Parliament as a Representative, and convert him into a mere delegate, and he urged that he would become more and more the mouthpiece of a particularly organised section of his constituents instead of representing their general opinion. The argument of the hon. and learned Member might well be turned in an exactly opposite direction, because, the longer a Parliament lasts, the more likely he is to accept as the views of his constituents an expression of opinion which might be sent up from a particularly organised body which might not represent the sentiments of the majority. On the other hand, if he were brought into frequent contact with his constituents, the more disposed he would be to be guided by the real opinion of those to whom he owed his seat. The hon. Member for Newcastle-under-Lyme did not appear altogether to appreciate the crisis when the Septennial Act was passed. That crisis occurred just after a most important dynastic change had been carried into effect. There were at the time plots and counterplots which might have developed into most serious proportions, and there was danger of foreign invasion in the interest of the Pretender. There was, therefore, justification for the introduction of such a desperate measure. But that is no reason for thinking that the causes which then existed were of a permanent character. It has been said by the present Duke of Devonshire, with regard to the question of Disestablishment in Scotland, that it ought to be settled in accordance with the opinion of the Scotch people; and the noble Duke said afterwards that a General Election ought to be fought on that question. But if that is to apply to such a question as the Disestablishment of the Church of Scotland, it would also apply to many other questions of equal importance. Therefore it is desirable that more frequent

Mr. F. S. Stevenson

opportunities should be given for consulting the constituencies on questions which may be brought to the front. It may be said that the logical alternative would be the introduction of something like the *referendum* in Switzerland; but the introduction of any such system, under our present condition, would be attended with difficulties of such a serious character that no one would advocate the adoption of such a course. The only alternative is a more frequent consultation of the electors by Members of Parliament; and this becomes the more important as time goes on, because one Parliament is called upon to deal with many questions. Take the case of the present Parliament. It has been in existence now for nearly six years. Was it anticipated in 1886 that it would have to deal with the questions of Irish Land Purchase, the Sugar Convention Bill, or the compensation and endowment of brewers? It is highly desirable that some decided step should be taken at the present time, when the present Parliament is drawing to its end, and when Members can, therefore, be supposed to be impartial. Some expression of opinion should go forth from this House as to the advisability of shortening the duration of the life of Parliaments, though the exact period to be fixed is a matter for careful consideration whenever the time comes to embody the expressed opinion in a specific measure.

*MR. H. H. FOWLER (Wolverhampton, E.): I rise for the purpose of expressing my surprise that we have not had any statement from the Government with regard to the Motion dealing with this great constitutional question, and on behalf of which my hon. Friend the Member for Ilkeston has made an able and powerful speech. The arguments in that speech deserve, and will, I hope, receive, some notice from the Government before we are called upon to divide upon the question. Whatever else may be said of this Debate, I think we must have enjoyed very much the ideal picture of Parliamentary life which was drawn by the hon. and learned Member for the Harrow Division of Middlesex. The picture was that of an irresponsible

Member, superior to the criticisms of the Press, enjoying an unbroken continuity of representation, and absolutely free from all kinds of pledges. The hon. Member told the House how humiliating it is to make a pledge, and he seemed to think that it would be almost as humiliating to keep a pledge. But I think the hon. Member's constituency had a very distinct understanding as to which Party their Representative would support before they elected him; and the steady loyalty with which the hon. Member has supported his Party is a conclusive proof of the honourable manner in which he has carried out his obligations to his constituents. The House has been asked to express the opinion that the Septennial Act should be repealed for the purpose of shortening the duration of Parliament. The Septennial Act was passed in 1716, and the Parliament that passed it was the only one that sat for seven years. What, then, has been the length of the life of Parliament? I will take the period commencing in 1784, for it was in that year, I believe, that the first General Election occurred which practically put a Minister into power. Up to that time Ministers were put in power by the will of the Sovereign or by the action of the House of Lords, or by the intrigues of the ruling families. It was in 1784 that Pitt obtained the great majority which gave him the confidence of the country. From 1784 to 1886 there have been 25 Parliaments. If you take the period as 100 years, that would give to each Parliament an average life of four years. I can, however, hardly imagine any subject to which it would be more delusive to apply the test of averages than to the life of Parliament. We must look a little further to see what the Septennial Act means. The existence of Parliaments has been terminated by four causes—(1) the death of the Sovereign; (2) by electoral reforms which necessitate new elections; (3) by what we call a Ministerial crisis; and (4) by effluxion of time. I think that classification comprehends all the diseases of which Parliaments die. Now, Sir, I find that during the century of which I have been speaking three out of the twenty-

five Parliaments were dissolved owing to the death of the Sovereign. Of course, as the House knows, the law has been altered, and the demise of the Crown does not now involve a Dissolution, though up till 1867 the death of the Sovereign involved a Dissolution within six months. The three Parliaments thus dissolved followed upon the death respectively of George III., George IV., and William IV. There have been three great Constitutional alterations—the great Reform Act of 1831, the Extension of the Household Franchise in 1867, and the Extension of the County Franchise in 1885. On each of these occasions there was necessarily an Election. In the century there have been nine Ministerial crises—nine occasions upon which the Ministry have been in conflict with the House or divided amongst themselves so that it was necessary to appeal to the nation; and there have been ten Parliaments which have expired by effluxion of time. In endeavouring to ascertain what the duration of Parliament under the Septennial Act is we ought to see how long each of these ten Parliaments has lasted during the present century; who have been the Prime Ministers in power when the lives of the Parliaments were determined; and from this date we can pretty accurately arrive at what the Constitutional position is. I shall commence my retrospect with Mr. Pitt, who was firmly in power in 1784. His first Parliament expired by effluxion of time in 1790. This great Tory Minister, with a majority in Parliament, dissolved in 1790. In the zenith of his power he again dissolved in 1796. That was the second time he put the seal of his Constitutional interpretation upon the Septennial Act. Again in 1802, Mr. Addington, being Prime Minister, dissolved the Parliament. Then came a series of short Parliaments, partly due to the death of Mr. Fox and partly to the Catholic Question. We do not come to another Parliament which was allowed to run its course of six years until 1812. That Parliament had a Tory majority, and Lord Liverpool kept it sitting until 1818, again recognising the principle of six years, and six years only. The Parliament of

1818 was dissolved on the death of George III. A new Parliament was called together in 1820, and that was the longest Parliament of the century, and under Lord Liverpool lasted until 1826, its actual duration being a few days over the six years. No Parliament after that expired by effluxion of time until the Parliament of 1841, the Parliament which put Sir Robert Peel in power. Then Parliament was dissolved in 1847, and if Sir Robert Peel is accepted on the one side of the House, surely on the other Lord John Russell will be accepted as a great Constitutional authority. When Lord John Russell was called upon to construe the Septennial Act his construction corresponded with that of Mr. Pitt and Lord Liverpool, and he dissolved the Parliament of 1841 in the year 1847. The next Parliament that expired by the effluxion of time was the Parliament of Lord Palmerston in 1859. No pressure was put upon him; it was understood his political opponents would keep him in power as long as he liked; yet Lord Palmerston dissolved in 1865, so that again Parliament sat only a few days over the six years. The Parliament of 1868 of my right hon. Friend the Member for Midlothian was dissolved in 1874. Lord Beaconsfield's Parliament, which was summoned in that year, was dissolved in 1880. In no case have these Parliaments exceeded six years and a few weeks at the most. Now, Sir, my point is that the practice of these great Prime Ministers and the uniform precedents of upwards of 100 years show that the clear, undoubted interpretation of the Septennial Act is that that Act means that the duration of Parliament is six years, and six years only. Therefore, if I am called on to deal with the Motion of my hon. Friend behind me, who says it is necessary that the Septennial Act should be repealed in order that Parliaments may be shortened, it would not be fair to say that we are dealing with Parliaments of seven years' duration. Seven years' Parliaments are not known to the Constitution. There is no precedent for them. The Parliaments we have had to deal with for a century have been for six years, and six years

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only. It may be said—and said with justice—who is to decide what is Constitutional in a case of this sort, and that we cannot go beyond the text of an Act of Parliament. We have no written Constitution, and I am very glad of it. The elasticity of our system has secured greater freedom than where a Constitution is arbitrarily defined by some legislative Act. But that necessarily involves an enormous reserve of power in the hands of the three branches of the Legislature—the Sovereign, the House of Lords, and the House of Commons, and you might reduce the case of each to an absurdity by defining the extreme powers they undoubtedly possess and by saying that they might exercise them to the uttermost. But our Constitution rests upon the play of the various parts of the Constitution, and on the tradition that no branch of the Legislature—neither the prerogative of the Sovereign, nor the Upper House, nor this House—is justified in stretching to the extreme any one of its powers or privileges. Therefore I put it to the House as clear that the Constitutional Law of this country is that Parliament should last for six years, and for six years only, and that any Motion put before the House that Parliament should be shortened must deal with the question, whether right or wrong, of shortening the period of six years. Well now, Sir, is it desirable to shorten that period of six years? Some of my hon. Friends have been induced to state the period which they think a Parliament should last. I do not think that this is the proper occasion for attempting to define that period. This is not a Party question at all. It is an undoubted truth that the Tory Party opposed the Septennial Act. I suppose there is a tendency on either side which happens to be in power rather to strengthen its grip upon its period of power than to loosen it, and I do not claim for the Opposition any superior virtue over hon. Gentlemen opposite in that respect. But, looking at it as a public question, is it desirable that the period of Parliamentary life should be shortened from six years? I think it is. I do not attach the slightest

importance to the contention that if we had frequent elections the expense would be so enormous. The expenses, as we all know, have, thanks to my right hon. Friend the Member for Bury, been substantially reduced during the last ten or fifteen years. There was another reason, that Members would have to be paid; another reason, that Members would be always skirmishing about the country; and another reason, that it was not advisable to shorten Parliamentary life to Members themselves. Sir, the best way of renewing the Parliamentary life of a Member is for him to have the confidence of his constituents. The principle of Parliamentary Government is representation. It is not that a Member of Parliament is put, as the hon. Member for the Harrow Division of Middlesex suggests, as a superior sort of being exalted above and beyond the criticism of his constituents. He is not here as a delegate, and if ever this House consists not of Representatives but of delegates, it will cease to be the House of Commons. But the House must represent the people that elected it, and my experience is that the new and the enlarged constituencies repose greater trust in their Representatives in what may be called the minor matters of administration and legislation than was the case under the older and more restricted system. The constituency has a right to know what its Members are going to do on certain great questions. When the present Government dissolve it will be on a great question of public policy—one of the gravest ever raised in the history of this country. Will anybody criticise or deny the right of the constituencies to know how their Representatives are going to vote on that question? It may be assumed that the new House of Commons will be an accurate reflex of the opinions of the constituencies. But how can you keep a Representative Body in touch with those whom it represents unless you give them not too frequent but moderately frequent opportunities of contact? It has been stated to-night that a period of five years affects the votes of a million of voters. No fewer than 500,000 persons who voted in 1886

have ceased to be voters now, and 500,000 persons who were not voters in 1886 are voters now, so that putting the two together that means 1,000,000 voters, or one-fifth of the whole constituency. In these circumstances the constituencies have a right to be heard. It is not what will be more convenient or more costly to us, but how best to carry out the representative system to enable the represented to make their power felt through their Representatives, without going into the question of three years or four years or five years. We ask the House confidently to say that six years is too long a period for Members to be elected. There is another feature in the present state of public life in this country which was alluded to by hon. Friend the Member for the Ilkeston Division in terms of disapproval—namely, what he called “the great swing of the pendulum” when General Elections take place. The tendency of the present day is rather to diminish the number of Dissolutions arising out of want of confidence between the Government of the day and the House of Commons of the day. I think the remark of Lord Beaconsfield was very accurate when he said he had observed that the duration of Parliaments and of Ministries was co-terminous. Well then, Sir, as appeals to the constituencies will be by effluxion of time rather than from any want of confidence between the Government of the day and the House of Commons, I think that is another reason for shortening the duration of each Parliament. There is one reason more. In the present day—during the last Parliament and during the present Parliament, and it will be the same in the next Parliament—the tendency is to increase the power of the House of Commons. Seventy or eighty years ago the House of Commons had not appropriated to itself, as it has now done, the powers of the Executive. Now it exercises supervision over every Department of the State, over the permanent officials, and a more minute and continuous control over the various branches of the Public Service than was ever done before. The House of Commons is now more than ever the fountain of new legislation. We are in a

period of great social reform; and when this great Constitutional question which is at present under discussion is disposed of, the probability is that the attention of the House of Commons will be brought to bear more and more upon what are called social problems. If that be so, if the House is to be called upon to discuss questions of capital and labour, of master and servant, of the condition of the masses of the people, and the distribution of various rights and powers among the bulk of the population, it is necessary that the House in so doing should faithfully and adequately represent the views of those by whom it is elected. That in itself is an additional argument for shorter Parliaments. My desire in supporting this Motion is not either to reduce the *status* or the efficiency or the independence of the House of Commons. I wish to see the House of Commons fulfilling in the broadest manner and in the highest degree that conception of its duties which was defined in the quotation from the speech of Burke at Bristol, which was read to-night. Upon the broad ground that it is for the public interest—I do not care to put it for the convenience of Members, for that is a question that ought to be absolutely excluded from consideration—but on the broad ground of public convenience, and in order to promote its efficiency and its adequate discharge of its rapidly increasing public duties, I am convinced it is desirable that the period of the duration of Parliaments should be reduced.

(11.30.) **THE FIRST LORD OF THE TREASURY** (Mr. A. J. BALFOUR, Manchester, E.): I have listened with very great interest to the speech which the right hon. Gentleman has just delivered; but I confess that in some respects my surprise was even in excess of my interest. The right hon. Gentleman spent the greater part of his speech not in defending the thesis that Parliaments should be shortened, but in establishing by elaborate historical analysis what is the precise duration of Parliaments which he thinks is in conformity with Constitutional usage. I do not know

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whether he had an eye to consequences other than those raised by the Motion before us; but if he had, I would point out to him that if there is any attempt made by any section of politicians to establish in this country the novel Constitutional doctrine that no Dissolution is to take place on an old register, then it is possible it may be thought necessary on the part of others to seek to establish the equally novel Constitutional principle that Parliament shall last more than six years and one month. I do not develop that point, but I pass to the second part of the right hon. Gentleman's speech—the more important and the less prolonged part, in which he dealt with the question more immediately before us. There, I confess, I was rather surprised to find that the right hon. Gentleman, in common, I think, with every other Member who has spoken from the same side of the House, has taken up the position that though Parliaments are to be shortened, they are not necessarily to be shortened by any considerable period of time. One hon. Member suggested six years, another five years, and another mentioned four years; but I do not think any one Gentleman has specifically suggested three years, and yet I had understood it was one of the accepted items of the Newcastle programme that triennial Parliaments were to be introduced. ("No, no!") Some hon. Members say "No, no!" Well, I have not refreshed my memory recently by a perusal of the document, and I do not deny that hon. Gentlemen opposite have a greater title than I have to speak on the point; but certainly I had understood that the authorised view of the duration of Parliaments, as embodied in the Newcastle programme, was that they should be three years instead of seven. I believe I am right in that.

SIR W. FOSTER: May I state to the right hon. Gentleman that there was no period specified in the Newcastle programme; but simply a statement that there should be shorter Parliaments?

MR. A. J. BALFOUR: The hon. Gentleman was not the author—at least I do not think he was the author—of

the Newcastle programme. If he says on authority that no period was named, I have no desire to contradict him; but I should like to refer to contemporary documents before I entirely give up the opinion which I have formed. If triennial Parliaments are to be the rule, and if we are not to follow the universal constitutional usage, founded not merely upon custom, but upon obvious convenience, of not running out any Parliament to within a month or two of its death, it means that two years, or at most two years and six months, will be the duration of a Parliament. Remembering that proposition, that particular period, and not merely the general proposition, that Parliaments are to be shortened, and, keeping in view that two years and six months will be the extreme length of Parliament—"No, no!" Do I understand that hon. Gentlemen opposite are unanimous in rejecting triennial Parliaments? Keeping in view that, according to a large body of opinion, two years and six months will be the extreme limit of Parliaments, let us consider what will be the practical effect upon the Government of this country of such a change. I will not dwell upon the cost to Members, or upon the dislocation of the business of the country, though they are both matters of considerable importance. The matter of cost the right hon. Gentleman who has just sat down dismissed with a wave of the hand. He attributed such merits to the Bill—a most excellent measure passed by the right hon. Gentleman the Member for Bury—that he seemed to think the cost of an election was really of no moment in these days. I take it, however, that the cost of a great county election might reach the limit of £1,400 or £1,500. That spread over a triennial Parliament is about £500 a year, in addition to the other expenses and the subscriptions which a Member of Parliament is expected to pay. If the hon. Member thinks that is a matter of absolute indifference, I congratulate him on the condition of his banker's balance, but I fear his happy fortune does not attach to every gentleman who sits in this House. I do not wish to dwell upon that in the short time at my disposal, because there are considerations, in my

judgment, of incomparably more importance, and which ought to be more in the minds of hon. Gentlemen when they go into the Division Lobby. I have heard a great deal to-night from every Member who has spoken in support of this Motion in favour of what he is pleased to term the bringing of the opinion of Parliament into exact conformity with the opinions of the people. That is a good, sound, constitutional doctrine, against which I have nothing to say. But what does "opinions of the people mean?" It does not mean that the people of this country, the 37,000,000 who inhabit these islands, change their opinion from one side to the other. What it does mean is that out of the very large body of electors, 100,000 perhaps either abstain from going to the poll or alter their vote. That amount of alteration, and that amount of alteration alone, is sufficient to transfer power from one side of the House to the other, and to place gentlemen in power who now sit in the cool shade of Opposition. The change is not a change in the opinion of the nation; it is a change, and always has been a change, of a very small fraction of the nation. Our constitutional system is that the majority should decide what Government shall be in power, and the necessary result of this, in a country where Parties are fairly evenly balanced as in this country, and as I believe they must be fairly evenly balanced if Party Government is to continue to exist—the result, I say, is that a relatively small number of abstentions, or a still smaller number of changes of opinion, are quite enough to make what is called the voice of the people give utterance to opinions diametrically opposite to those of three, five or seven years ago. The necessary effect of our constitutional machinery is greatly to emphasise the result of any such change, because the consequence of this relatively small change of opinion is to place in power a Ministry who, on all controversial questions, profess precisely opposite doctrines to those professed by their predecessors. I do not complain of that, because I think it is the necessary result of Government by Party. It is not the part of a wise man to change anything that is necessary, but we

should not deliberately aggravate that which may become a necessary evil when we are considering how far this House is capable of fulfilling the colossal duties which in process of time it has taken upon itself to perform. I understand the right hon. Gentleman to say that he endorses the view which modern experience shows to be correct, that Ministries and Parliaments always change together, and that is to be taken in connection with his view that Parliaments should last such a very short length of time.

SIR W. FOSTER: It was not my view; it was the view of Lord Beaconsfield.

MR. A. J. BALFOUR: I understood the right hon. Gentleman to say he endorsed the view that modern experience shows that habitually the Ministry changes with the Parliament; and, undoubtedly, recent experience does tend in that direction. I thought the right hon. Gentleman adopted that view. If he does, it means that the Administration of this country is for all time to be broken up into short lengths of two or three years. Is that a desirable or a safe thing? Is it desirable, in the point of view of foreign policy, that Parliament should be broken up into short periods? I quite admit that the great traditions of the country have established the practice that one foreign Minister shall not, at all events, violently change the policy of his predecessor. A continuity of foreign policy has always been aimed at by the great Parties in the State. But whether that is to last, or the heat of controversy is to break through that tradition, or whether it breaks through or not, my argument remains untouched, because foreign Powers, whose opinions we have to consult, will always hope that on a change the Ministry will be found more pliable, and that after a General Election they will find a foreign Minister who will carry out a policy which they think will be more congenial to their own special interests. Therefore, if we really are to look forward to the time when no foreign Ministry especially is to last more than a comparatively few months, then I say a continuous foreign policy will become more and more difficult, and this

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country cannot possibly escape from having a difficulty of some kind, for her interests are bound up in having a foreign policy of a kind to maintain her honour abroad. Unless she has such a policy, I say the public interests of the country must most seriously and gravely suffer. To turn from foreign affairs to domestic affairs, no doubt at one time England flourished under a system of short Parliaments, and possibly no difficulties followed from it, because in these times, as I think the right hon. Gentleman has just stated, the Ministry depended just as much upon the Crown and the House of Lords as upon the House of Commons. The result of the modern system is that the House of Commons not only supports the Ministry who carry out their domestic legislation and are supported in their domestic policy, but it insists upon knowing all that they are doing in each one of the numerous Departments of State. Is it desirable or possible that we should entrust these enormous functions—functions never dreamt of in the time of Pitt, never dreamt of in the time of Lord Liverpool, only first dreamt of at the time of the first Reform Bill—are we going to hand over these enormous executive powers to Parliaments whose experience is going to be limited to one or two or three years at the most? In these days, when a large change in its *personnel* occurs at each Election, during the first year Parliament is learning its business, and during the last year it is not doing its business at all. It is thinking of its constituents. It has passed from the stage of callow inexperience through a stage of mature experience, and has lapsed into a position of senile courtship—and I do not think we ought to endeavour to repeat too often that period of Parliamentary experience. We all know, on both sides of the House, that there are a very large number of gentlemen so anxious to retain the honour of a seat in the House that they have not time to perform the duties of a Member. I do not think that is altogether a desirable or creditable state of things. But I go further; I confess that I think this habit of anxiously scrutinising the effect which each vote or which

each speech is to have on the electorate is not a wholesome state of mind for Members of Parliament. Hon. Members have spoken as if that frame of mind simply consisted of a desire that a Member should conform to the wishes of those who have returned him. It is nothing of the sort. He knows very well that he is secure of the support of the great body of gentlemen who support him. What he is anxiously looking for is the good opinion of the small and doubtful margin of support which he may get, but of which he is not quite certain, by a stray vote or a stray speech. I feel that to be a very bad electoral calculation; but it is a calculation constantly made by Members of this House, and which does not conduce to the dignity of Members responsible for the government of a great Empire. It appears to me that some stability of administration is absolutely necessary for the mere conduct of affairs. In America they have biennial Parliaments, but, according to their system, they elect a Ministry for four years, for the President does not stand in the position of the Crown. He stands in the position of Prime Minister of the country, who settles the Ministry to carry out the work of the Government, and in the American Constitution you have more security for that continuity of Government which is so absolutely necessary. But, remember this, America has no foreign policy; it is not brought into constant contact with every European State; it has not affairs to transact with every Power on the face of the globe; it has not colonies in every latitude and in every sea. We have all the difficulties of a great Empire to face. Do not let us rashly, out of some abstract theory of the Constitution, which takes no account of the practical facts of the case, deliberately alter a system which has worked admirably in the past, which I am sure is rendered more and more necessary by the progress of democratic power, and from which I am convinced we shall be able to gather as beneficial fruits in the future as we have in the history of the past. For these reasons I hope the House will emphatically record its conviction that

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this Motion should not pass. We on this side of the House have nothing to gain or lose by it; and if I spoke from a purely Party point of view, I do not think the Conservative or Unionist Party are likely to be losers by any system which will shorten Parliaments. But whatever the balance of Party gain or loss, I am convinced from the point of view of general administration that it will be perfect folly to make it impossible to have continuous administration either in our foreign or our domestic affairs.

Question put.

(12.0.) The House divided:—Ayes 188; Noes 142.—(Div. List, No. 78.)

Main Question again proposed.

Motion, by leave, withdrawn.

SUPPLY—Committee upon Monday next.

SHOPS (WEEKLY HALF-HOLIDAY)
BILL.—(No. 142.)

SECOND READING.

Order for Second Reading read.

(12.13.) SIR J. LUBBOCK (London University): I hope the House will allow the Second Reading to be taken with the object of referring the Bill to the consideration of the Committee upon Shop Hours.

Objection taken.

Second Reading deferred till Tuesday next.

ARMY AND NAVY EXPENDITURE,
1892-3.

Return ordered—

"Showing the Net Estimated Expenditure, for the year 1892-3, on the Army and Navy, and the provision made for it."—(Mr. Shaw Lefevre.)

ARMY AND NAVY EXPENDITURE,
1891-2.

Return ordered—

"Showing the Net Expenditure, for the year 1891-2, as estimated at the commence-
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ment and close of the year, and the provision made for it."—(*Mr. Shaw Lefevre*.)

PIER AND HARBOUR PROVISIONAL ORDERS.

Copy ordered—

"Of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Pier and Harbour Provisional Orders (No. 1) Bill."—(*Sir Michael Hicks Beach*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 139.]

PUBLIC EXPENDITURE AND REVENUE.

Account ordered—

"Of the Total Expenditure in the year ending the 31st day of March 1892, distinguishing between the ordinary Expenditure provided for out of the Revenue of the year and the extraordinary Expenditure provided for out of Loans and other sources, and also the total receipts of the year, distinguishing between the ordinary Revenue and Receipts derived from Loans and other sources (in continuation of Parliamentary Paper, No. 412, of Session 1891)."—(*Sir William Harcourt*.)

PLUMBERS' REGISTRATION BILL.

Reported from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 140.]

Bill, as amended, re-committed to a Committee of the Whole House for Tuesday next, at Two of the clock, and to be printed. [Bill 270.]

MOTIONS.

LOCAL GOVERNMENT PROVISIONAL ORDERS BILL.

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bethesda, Bolton, Burton, Eye, Lowestoft, Nottingham, Oswaldtwistle, Reading, and Wigan, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 266.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Barnsley, Halifax, Keighley, and Wigan, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 267.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 3) BILL.

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Acton, Bridgend, Lincoln, New Windsor, Rawdon, Sale, and Stapleton, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 268.]

SECONDARY EDUCATION (ENGLAND) BILL.

On Motion of Mr. Arthur Acland, Bill to promote Secondary Education in England, ordered to be brought in by Mr. Arthur Acland, Sir Henry Roscoe, and Mr. Hobhouse.

Bill presented, and read first time. [Bill 269.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

THE EASTER RECESS.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I gave a pledge at 7 o'clock that I would, before the House separated to-night, state the arrangement the Government propose for the Easter Holidays. I think, having looked at the matter in all its bearings, that we may, although perhaps the holiday may be considered rather a long one, permit ourselves to adjourn from Tuesday next until the Monday week following.

MR. T. M. HEALY (Longford, N.): Will there be a Dissolution in the interval?

Motion agreed to.

House adjourned at a quarter after Twelve o'clock till Monday next.

HOUSE OF COMMONS,

Monday, 11th April, 1892.

QUESTIONS.

TELEGRAPH RATES TO INDIA
AND AUSTRALIA.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether his attention has been called to the fact that the telegraph rate from England to India is 4s. a word, and the telegraph rate from England to Australia *via* India, but double the distance, is also only 4s. per word; whether he is aware that this latter concession was brought about by the Telegraph Companies and the Australasian Governments jointly agreeing to share any loss arising from the reduction of rates from 9s. to 4s. per word; whether he has ascertained that the joint loss has on the first year only amounted to about £12,500 aside, and is expected to involve no expense after the second year; and whether he has taken any steps to recommend the giving of a similar guarantee by the British and Indian Governments, whereby the rates to India may be reduced from 4s. to 1s. per word?

*THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): The lately-reduced telegraph rates to Australia and Tasmania may be said to be about 4s. a word. To Queensland and New Zealand they remain at about 10s. To India the charge is 4s. The reduction was brought about by the Governments concerned and the Eastern and Eastern Extension Telegraph Companies agreeing to bear jointly any loss that it might entail. Her Majesty's Government were not parties to the agreement, and we are not aware what the consequent loss has been. I have not any intention of proposing a similar reduction and guarantee in regard to India; and I have reason to believe that the conditions of commercial life in India would not produce any increase of business commensurate to, or approaching, the loss of revenue which would be the result.

INDIAN REVENUE FROM
INTOXICANTS.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been called to a statement in "Abkari" for this month to the effect that the revenue from native intoxicants in Bombay has increased from Rs.38.82,966, as the average of five years ending 1881-2, to Rs.75.19,911 for the year ending 1889-90; whether he can state what was the increase in the quantity consumed; whether he will draw the attention of the Bombay Government to the Resolution passed by the House of Commons in March, 1889, against giving undue facilities for the sale of strong drink in India; whether his attention has been drawn to the statement that the Government of Bengal raises an annual revenue of £240,000 from the sale of bhang and other preparations of hemp; whether he has any evidence to show that these drugs are the cause of much of the lunacy in India; and whether he will call the attention of the Government of India to the dangerous character of these drugs, and the necessity of restricting their sale?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): (1) The Secretary of State has seen the statement which is taken from the published Abkari Report for 1889-90. (2) The consumption in the Presidency cannot be stated as a whole for the earlier period, when the farming system, under which the statistics were not ascertained, prevailed in some districts. (3) The Secretary of State does not think it necessary to communicate with the Bombay Government in the manner suggested. The hon. Member is aware that during the period named in the first paragraph of his question, the rate of duty on native spirit has been greatly raised. For instance, in Bombay City, of which we have full statistics for the last ten years, the duty on mouro spirit was raised from R1 to Rs1½ in 1876; to Rs.2½ in 1878; to Rs.2½ in 1886; and to Rs.3 in 1889, at which rate it stands at present. The consumption in 1881-2, with a population of 773,000, was 639,975 gallons; in 1890-91,

with a population of 804,000, it was 564,190 gallons. (4.) The Bengal revenue from drugs in 1890-1 was not £240,000, but Rs.236,000. (5.) The Reports of Lunatic Asylums attribute some 25 per cent. of the cases treated to the abuse of ganja. (6.) A Report on the subject of the consumption of narcotic drugs other than opium has been called for, and has been promised by the Government of India. Until it is received, the Secretary of State does not propose to take any action.

REGIMENTAL MESS AND BAND FUNDS.

MR. KING (Hull, Central): I beg to ask the Under Secretary of State for India, in relation to Orders which were issued by the Indian Government on the disbandment or conversion of certain regiments in India that the mess and band funds of the regiments mustered out of service should be handed over to the newly-constituted or substituted regiments without compensation, and to the statement made in this House last year by the Under Secretary of State that there appeared to have been some irregularity, and that the Secretary of State had called for a Report, whether such Report has been received, and whether he will lay it upon the Table of the House; whether the Secretary of State is aware that, in the Orders lately issued for the conversion of the 30th and 31st Madras Infantry, the "band, mess, colours, and other regimental properties" belonging to the officers of these regiments have been ordered to be handed over to the "newly-constituted" regiments, without compensation to the officers of the old regiments; and whether the Secretary of State is aware that in similar cases in the British Service the highest military authority has invariably recognised the right of the officers of a disbanded regiment to the property in their mess and band funds?

MR. CURZON: No, Sir; the Report of the Government of India has not been received. A despatch was sent to them in July, and another to remind them of the matter in February of this year. Till the reply is received, the Secretary of State is not in a position to express an opinion. As regards the

Mr. Curzon

30th and 31st Madras Infantry, the General Order says that the mess, band, and other property of the regiments, together with the colours, will remain with the regiments as re-constituted. The answer to the third paragraph will no doubt be given in reply to the question on the subject addressed by the hon. Member to the Secretary of State for War.

MR. KING: I beg to ask the Financial Secretary to the War Office what is the recognised rule or custom in the British Army with regard to the disposal of the mess, band, and other officers' funds of a regiment which is disbanded or re-constituted; and whether His Royal Highness the Commander-in-Chief has officially declared that these funds were the private property of the officers, and that it was never thought desirable or advisable for the authorities to interfere with their disposal?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): There has been no recent case of a British regiment being disbanded; and His Royal Highness the Commander-in-Chief does not remember making the official declaration attributed to him. At the same time, the practice has been to regard the mess and band funds of a corps as its private property.

LICENSED METROPOLITAN CABS AND CAB DRIVERS.

MR. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for the Home Department whether he will state what is the registered number at the present time of licensed cabs and licensed cab drivers within the Metropolitan Police District?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Commissioner of Metropolitan Police that the number of hackney carriage proprietors' licences is 11,062, and of drivers 15,024.

"REGINA V. HURLBERT."

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department

whether, in view of the fact that the Director of Public Prosecutions states in his Report, which has been presented to the House, that he found great difficulties in taking action in "*Regina v. Hurlbert*," owing to being refused permission to take copies of the impounded documents, owing to a Rule of Court, and that the refusal

"Caused great difficulty and delay in prosecuting the inquiries that he had set on foot with the object of ascertaining whether evidence was procurable which would justify a charge of perjury against the defendant," and that a correspondence between the Director and the Court of Queen's Bench took place in regard to this matter, he will lay upon the Table of the House copies of this correspondence, in order to enable the House to decide whether legislation is necessary in the interests of justice?

MR. P. O'BRIEN (Monaghan, N.): Will the right hon. Gentleman also say if he has any knowledge of the means by which the defendant was enabled to evade apprehension?

MR. MATTHEWS: I am not aware. As to the question on the Paper, I should be glad, first, to obtain the concurrence of the Lord Chief Justice. If he sees no objection, I shall be ready to lay this correspondence on the Table. The Lord Chief Justice is now on circuit, but I will apply to him without delay.

THE CASE OF FANNY GANE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether, considering the great difference between the sentence of one year's imprisonment recently passed upon Mrs. Montagu for the manslaughter of her child, three years of age, and the sentence of death, since commuted to penal servitude for life, upon Fanny Gane for the murder of her newly-born illegitimate child, he will consider whether Fanny Gane might be released from imprisonment, or if he would state what course it is proposed to take in her case?

MR. MATTHEWS: I have twice this Session informed the hon. Member that I am not prepared as yet to announce the ultimate reduction of sentence in the case of Fanny Gane. The hon. Member may feel sure that it will not be overlooked.

MR. COBB: Can the right hon. Gentleman say when an announcement can be made?

MR. MATTHEWS: It is usual to wait and see the effect of prison discipline before announcing the ultimate decision. The reduction of the sentence is always very considerable.

POSTMASTERSHIP OF LIMERICK.

MR. SHEEHAN (Kerry, E.): I beg to ask the Postmaster General if the postmaster of Limerick is yet fully retired under the 65 Rule; and, if so, has his place been filled, and by whom?

SIR J. FERGUSSON: Yes; the postmaster has retired, and the vacancy has been gazetted; but the applications have not yet been all collected.

THE ORPHANS FLANNEGAN, MOTHERWELL WORKHOUSE.

MR. SEXTON (Belfast, W.): I beg to ask the Lord Advocate whether he is aware that Mr. James Muir, Inspector of Poor, Parish of Bothwell, who has in his charge two orphan girls, Rose and Mary Flannegan, now respectively 14 and 12 years of age, has removed the children from the Motherwell Workhouse, and refuses to inform their next-of-kin—namely, Mathew Flannegan, their uncle, and Elizabeth Flannegan, their grandmother, where the children are at present; and whether the uncle and grandmother, being desirous to bring up and educate the children, are entitled to have the custody of them?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I learn that the grandmother of the children has herself petitioned the Supreme Court in Scotland for their custody. This being so, and the statements made in the question being more or less nearly related to that litigation, I must respectfully decline to give the hon. Member any opinion on the subject. It may, however, allay the hon. Gentleman's anxiety if I add that, according to my information, the elder girl is in domestic service in Scotland; that neither of them has ever seen either the grandmother or the uncle; and that the guardian *ad litem* of the younger child

has reported to the Court, after an interview with her, that her determination not to go to Ireland is so strong that in his opinion nothing short of force would induce her to go.

MR. SEXTON: The right hon. Gentleman will see there is no question of going to Ireland. Is there any reason why the relatives—the grandmother and uncle—should be denied access? May I ask whether the question of the right of the relatives to an interview must depend on the result of litigation, or whether such can be granted?

*SIR C. J. PEARSON: That is a totally different question, of which I must ask the hon. Member to give notice.

BOARD SCHOOL MASTERS' APPOINTMENTS.

MR. E. ROBERTSON (Dundee): I beg to ask the President of the Local Government Board whether his attention has been called to the following advertisement which appeared in the issue of the *Schoolmaster* dated 2nd April, 1892:—

"Willand School Board (Devon).—Wanted, Midsummer next, Certificated (Married) Master and Mistress, Mixed Board School, Willand, Collumpton, Devon. Wife, Infants, Needlework. Average 63 children. Harmonium in church. Drawing";

and whether it is the duty of the district auditor to surcharge the members of the Willand School Board, who sign the cheques for the salaries of teachers, with any amount which may be paid out of the school fund for work other than that directly connected with the office of schoolmaster?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes (who replied) said: My attention had not been previously directed to the advertisement referred to. I have no doubt that the district auditor will duly consider any question which may arise as to the legality of any payment which may appear in the accounts of the School Board; and if the Local Government Board are called upon in the exercise of their equitable jurisdiction to determine any appeal which they may receive against his decision, the facts will be fully considered by them.

Sir C. J. Pearson

MR. E. ROBERTSON: I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the following advertisement which appeared in the issue of the *Schoolmaster*, dated 2nd April, 1892:—

"Willand School Board (Devon).—Wanted, Midsummer next, Certificated (Married) Master and Mistress, Mixed Board School, Willand, Collumpton, Devon. Wife, Infants, Needlework. Average 63 children. Harmonium in Church. Drawing";

whether he is aware that the income of the Willand School Board is entirely derived from Government grants and local rates; whether he will instruct Her Majesty's Inspector of Schools for the district to inquire at his next annual visit to the school whether, in the Form IX. presented to him, the amount returned thereon as expended in salaries includes any payment to the master for playing the "harmonium in church"; and whether he is yet prepared to take any steps to prevent the masters and mistresses of elementary schools being compelled to undertake work for which they either receive no payment, or else receive payment out of public funds provided solely for educational purposes?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Such advertisements as that referred to in the hon. Member's two questions are, I believe, not uncommon; but a note has been introduced into the manager's Return which makes it the duty of the Inspector to see that the salary paid to the teacher does not include any sum paid in respect of services in any other capacity, and will thus prevent any misapplication of the school income. I must, however, demur to the terms of the last paragraph of the second question, as teachers can always discover, on applying for an engagement, whether it involves distasteful duties.

MR. H. J. WILSON (York, W.R., Holmfirth): I beg to ask the Vice President of the Committee of Council on Education whether he has seen in the *Schoolmaster*, of 27th February, an advertisement of the Painswick School Board for a certificated assistant

master, which advertisement states that "the post of organist at the Parish Church is vacant, salary £20 a year. Assistant would be eligible;" whether it forms any part of the duties of a School Board to advertise for a Parish Church organist; and whether, in view of the fact that such an intimation is calculated to deter all but members of the Church of England from becoming applicants for the assistant mastership, the Department will take steps to prevent a repetition of such proceedings?

*SIR W. HART DYKE: I cannot undertake to review the advertising columns of the *Schoolmaster*, but it does not appear to me that the School Board limited its choice to persons who were competent to undertake the duties of organist. There is, however, no power in the Department to interfere, and I cannot accept what appears to be the doctrine of the hon. Member that such an advertisement is in the nature of a religious test.

BOARD SCHOOL ACCOMMODATION.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education, with reference to the correspondence which has taken place between the Education Department and the School Board for London on the subject of an application of the School Board for authority to provide additional accommodation for 420 children in connection with the Burghley Road School—namely, a letter from the School Board dated 30th October, 1891, and a letter from the Education Department dated 25th February, 1892, whether the Department have receded from the position taken up in their letter to Mr. Ambrose Goddard, published in the *School Board Chronicle* of 20th July, 1889, and in their letter to the managers of the National School, Luton, dated 17th June, 1889, to the following effect:—

"My Lords consider that for the purpose of determining whether the application of a School Board under Section 10 of the Act of 1873 should be granted, the existing accommodation for older children should not be taken at eight square feet per child, which is the minimum allowance under the Code for the purposes of annual grants, but should be calculated at ten square feet?"

*SIR W. HART DYKE: It is obvious that the application in any particular instance of the principle to which the hon. Member refers must largely depend upon local circumstances; and looking to the grave responsibility attaching to any new departure in calculating a deficiency over so large and populous an area as that of London, I am of opinion that the Department should proceed with the greatest deliberation and upon the fullest information which the Board can supply.

MR. SUMMERS: Then in this instance the Department do not adhere to the position taken up in 1889?

*SIR W. HART DYKE: We have not receded from that position as to the general application of the principle, but there may be exceptional cases. I can assure the hon. Member the matter is not definitely closed. The Permanent Secretary, unfortunately, who has been dealing with the matter, is absent from illness, and I have not been able to consult him.

MR. SUMMERS: I will put a further question on the subject.

LAND COMMISSION APPOINTMENTS.

MR. MAC NEILL: (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why have the Registrar and Assistant Registrar of the Irish Land Commission, after an official experience of 20 years, in which they have efficiently discharged their duties, been deprived of their posts; on what ground has a salary of £1,000 been given to Mr. Porter; on what ground has the salary of Mr. Lynch been raised at one bound from £300 to £800 per annum; why has Mr. O'Farrell been made Registrar to the Land Commission on a much larger salary than that drawn by the late Registrar and Assistant Registrar, who have filled those posts for upwards of ten years; and over the heads of how many officials have Mr. Porter, Mr. Lynch, and Mr. O'Farrell respectively been promoted?

*THE CHIEF SECRETARY FOR IRELAND (MR. JACKSON, LEEDS, N.): The Registrar's Department in the Land Commission had, under its old constitution, assigned to it merely duties connected with the settlement of judicial rents; but on the re-organisa-

tion of the whole Commission, pursuant to the Land Purchase Act of last Session, more difficult and important duties arising under the administration of the Land Purchase Acts were combined with the other duties. To this combined office Mr. O'Farrell, who had already held an important position in the Commission and was a barrister of standing, was appointed as the officer best qualified for the discharge of these duties. Mr. Porter had been an Assistant Commissioner in receipt of a salary of £800 a year. On appointment as the permanent head of the Agricultural Department he obtained the higher salary mentioned. Mr. Lynch was not at the time of the re-organisation in receipt of a salary of £300 a year, but of £490, proceeding by increments to £550, as Chief Clerk in the Examiners' Department. On appointment as First Assistant Examiner he was, in consideration of his previous services, awarded a personal salary of £800 a year, the normal salary of the post of Assistant Examiner being fixed at £700. Neither Mr. Porter nor Mr. Lynch has been promoted over the heads of any official, while Mr. O'Farrell, as already explained, has been appointed to practically a new office.

MR. T. M. HEALY (Longford, N.): When was this Agricultural Department created, and what are its functions?

*MR. JACKSON: If the hon. Member desires a detailed answer as to the duties of the Department, I am afraid I must ask him to give notice of his question.

MR. T. M. HEALY: Surely, if an appointment is made of £1,000 a year for the head of an Agricultural Department, we ought to know what that Department is. We hear of it now for the first time. Does the Department undertake the publication of the Reports of the sales of live meat and the weights? Does it take £1,000 to publish these market Reports?

*MR. JACKSON: Oh, no; there are many very important duties, and I may say none of these appointments were made until after very careful investigation by the Irish Government and the Treasury.

MR. T. M. HEALY: What was the date of the creation of the Department?

Mr. Jackson

The Commission has gone on for ten years without it.

*MR. JACKSON: I am speaking of the appointments made from 1st January.

MR. T. M. HEALY: Was the Department only created then?

*MR. JACKSON: It was not then created, but I referred to these appointments.

MR. T. M. HEALY: But when was it created?

*MR. JACKSON: If the hon. Member will give notice of his question I can give the precise date.

MR. MAC NEILL: Will the right hon. Gentleman tell us, is not Mr. Porter the son-in-law of one Commissioner and Mr. Lynch the son of another? Is not this a family job?

*MR. JACKSON: Mr. Lynch may be the son of a Commissioner, but I believe Mr. Porter is a bachelor.

POOR LAW ELECTIONS, MOHILL

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Irish Local Government Board has been informed that, in the recent Poor Law election for the Caltan Division, Mohill Union, numbers of voting papers were wilfully spoiled by persons who visited the houses of the electors and obtained possession of the papers by threats, and many others were spoiled after they had been given to a constable for delivery to the Returning Officer; and whether a new election has been ordered?

*MR. JACKSON: Complaints of the nature referred to have been received by the Local Government Board. Careful inquiries on the subject are being made.

DISPENSARY DOCTORS, BELFAST UNION.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state the population within the area of the Belfast Poor Law Union, the number of dispensary districts and dispensary doctors, the population in each dispensary district, and the salaries paid to the doctors; whether there is any other district in Ireland where dispensary doctors have such large popu-

lations within their district ; and whether, in the interest of the poor of Belfast, the Union will be divided into a larger number of dispensary districts, and additional dispensary doctors appointed ?

*MR. JACKSON: The population of the Belfast Union in 1881 was 239,283. There are two dispensary districts, Belfast and Castlereagh. The first-named has ten medical officers, the latter three. The population of the Belfast district in 1881 was 203,000, and of Castlereagh 36,000. The salaries of the medical officers of the Belfast district amount to £1,009. These officers receive salaries varying from £100 to £125. In Castlereagh the three officers receive £145, £135, and £115. While the population is larger than in any other district in Ireland, it should be borne in mind the area of the district is small. No representation has been made to the Local Government Board as to the necessity of subdivision of the district and the appointment of more doctors.

MR. SEXTON: Will the right hon. Gentleman consider that, though the area of the district is small, the growth of the population of Belfast has been so exceptional that these medical officers, in proportion to the work done, are the worst paid in Ireland ?

*MR. JACKSON: I am sure if any representation is made to the Local Government Board it will be carefully considered.

DISTRESS IN THE RUSKEY ELECTORAL DIVISION.

MR. O'KELLY (Roscommon, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Ruskey Electoral Division of the Strokestown Union has been scheduled as a congested district ; whether any, and what, steps have been taken to put the Act into operation in the district ; whether there is at present a property, consisting of several thousand acres of unclaimed bog, in the district suitable for planting, drainage, &c. ; and whether, considering the poverty and overpopulation of the division and the high poor rate (varying during recent years from three shillings to six shillings in

the pound), he would recommend the purchasing of this property, with the view of giving employment by planting and draining it, and, where practicable, migrating a portion of the population ?

*MR. JACKSON: The Electoral Division mentioned is scheduled as a congested district. The other matters referred to will be considered by the Board when they receive Reports of the inquiries that they have directed to be made.

IRISH LAND COMMISSION.

MR. SHEEHAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the last sitting of a Sub-Commission for the hearing of fair rent applications took place in the County Kerry ; and when there will be another sitting ?

*MR. JACKSON: The Irish Land Commissioners report that a Sub-Commission sat in the County Kerry during the month of October and November last. The date of the next sitting in that county has not yet been arranged.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if any, and, if so, how many, fair rent applications from the County of Cork served prior to the 29th September, 1887, are still unheard ?

MR. JACKSON: The Land Commissioners report that there are 25 cases in the County Cork still undisposed of in which the originating notices were received in their office prior to 29th September, 1887. Every one of these cases, however, has been already listed for hearing, but adjourned for various reasons.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the existing number of Assistant Land Commissioners, legal and lay, appointed by the Land Commission ; into how many Circuits they are divided ; whether they have been sitting as Sub-Commissioners continuously since

October last; and in what Circuit the County of Cork is, and how many counties are included with Cork in the Circuit?

MR. JACKSON: The Land Commissioners report that there are four Legal and 24 Lay Assistant Land Commissioners employed on Sub-Commission duty. These are divided into four Sub-Commissions, each consisting of one Legal and six Lay Commissioners. These gentlemen have been continuously engaged in the disposal of fair rent cases since last October, excepting the Christmas vacation. The Counties of Waterford, Kerry, Queen's County, Carlow, Kilkenny, Cork, Tipperary, Clare, Limerick, and a portion of King's County are included in the Circuit allotted to Sub-Commission No. 2.

TELEGRAPHIC COMMUNICATION WITH JAMAICA.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to a message of the Governor of Jamaica to the Legislative Council of that island, enclosing a letter to His Excellency from the Halifax and Bermudas Cable Company, asking for an annual grant from the island of £2,000 per annum, as a condition of laying a cable to the Island of Jamaica *via* Turk's Island, and stating that it is proposed to ask the Imperial Government to grant an annual subsidy of £8,000 per annum; and whether Her Majesty's Government has any intention to grant this subsidy?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The Secretary of State's attention has been called to the message in question; but it is premature at present to make any statement on the subject.

MR. LABOUCHERE: Do I understand that there is an assurance that before such a subsidy is granted it will be submitted to the House?

BARON H. DE WORMS: That is a question which should be addressed to the First Lord of the Treasury.

MR. LABOUCHERE: I would ask the question now, but I do not see the right hon. Gentleman in his place.

Mr. Maurice Healy

ENFIELD SMALL ARMS FACTORY.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Financial Secretary to the War Office if he will state what amount was paid in wages at the Royal Small Arms Factory, Enfield, day work and piece work respectively, on the last pay day in March and first pay day in April, 1891; and what amounts for the corresponding periods this year, and the number of men engaged piece and day work on these dates respectively?

MR. BRODRICK: The figures are being prepared. I shall be glad if the hon. Member will repeat his question to-morrow.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office if he will explain why the notice which was posted at the Royal Small Arms Factory, Enfield, on Friday last, intimating that the factory would be closed on Saturday until further orders, was cancelled on the following day; whether any further discharge would take place in consequence of the cancelling of this order; and, if so, would he take the opinion of the employees at the factory as to their willingness to work short time for the purpose of obviating further discharges; and what number of men were at work on Friday and Saturday last at the factory?

MR. BRODRICK: The notice posted at Enfield, intimating that the factory would be closed until further orders, was cancelled by order of the Secretary of State, who, while hoping to carry out the necessary discharges, by a temporary resort to short time, as gradually as possible, was not prepared to approve the order as it was issued, as its effect would have been the establishment of short time for a long period. Its cancellation will have but a small effect on the number of discharges, and is a question of administration on which it seems scarcely desirable to consult the employees. The number of men at work on Friday last was 1,943, and on Saturday 1,906. This does not represent the whole number on the books, some being absent from temporary causes.

MR. CUNINGHAME GRAHAM: I rather think the hon. Gentleman has not given me the information I want. Surely a week ago there were not so many as 1,900? My question refers to the Friday and Saturday before I gave notice of my question.

MR. BRODRICK: I am speaking of last Friday and Saturday.

CARBINE CONTRACTS TO THE HENRY BARREL COMPANY.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office what contracts for carbines have been given to the Henry Barrel Company, when were such contracts given, and how many have been delivered up till 31st December, 1891; and if the firm have asked for the assistance of Enfield to turn out this order?

MR. BRODRICK: The only contract under which deliveries could have been made before the end of last year was given in 1890, and was for the conversion of 12,000 carbines to .303 bore. Under this contract 800 had been delivered at the date named. The only other contract with the Henry Barrel Company for carbines was made in the present year for 30,000 carbines for India. Assistance from Enfield has not been asked for.

WASTE WORK STOPPAGES—OLD FORD RIFLE WORKS.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office whether the practice of stopping men for waste work, which exists at the Rifle Works, Old Ford, is a breach of the Truck Act; and whether the discontinuance of this practice at the Royal Small Arms Factory, Enfield, has had the result that less waste is made now than previously?

MR. BRODRICK: We have no information as to the practice at the Old Ford Rifle Works in regard to stoppages for waste work. Whether such stoppages constitute a breach of the Truck Act is a legal question, on which I would prefer not to express an opinion. The practice was discontinued at Enfield some four years ago. The amount of waste is dependent on so

many circumstances that it is scarcely possible to determine the result of any particular measure.

MR. CUNINGHAME GRAHAM: May I ask, is not the waste attributable to defective machinery?

MR. BRODRICK: No, I do not think so. As a matter of fact, it is almost impossible to arrive at an exact result.

LONDON SMALL ARMS COMPANY.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office what contract for the Lee-Metford rifle has been given to the London Small Arms Company; when was such contract given; and what number had been delivered up to 31st December, 1891?

MR. BRODRICK: A contract for 75,000 Lee-Metford rifles was made on 17th February, 1890. To 31st December, 1891, there had been delivered under it 6,743 arms.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office if he will take steps to put a stop to the system of sub-contracting which exists at the London Small Arms Company; and if there exists any arrangement between the foremen and the Company to lessen the cost of production?

MR. BRODRICK: I have no special knowledge as to the arrangements between the London Small Arms Company and their workmen, but I believe that sub-contracting is more or less a custom in the gun trade.

MR. CUNINGHAME GRAHAM: May I ask the hon. Gentleman whether sub-contracting is discouraged in this case?

MR. BRODRICK: It is forbidden, except in regard to those portions of a contract where sub-contracts necessarily have to be made.

MR. CUNINGHAME GRAHAM: But what I want to find out is whether the conditions against sub-contracting is allowed by special arrangement with the Small Arms Company to be dispensed with?

MR. J. ROWLANDS (Finsbury, E.): May I ask whether the factory clause is inserted in this as in all other contracts?

MR. BRODRICK: The clause is inserted in the contract. We have no knowledge of the sub-contracting referred to, but I believe it is usual, according to the custom of the trade.

MR. CUNINGHAME GRAHAM: I must press this matter of sub-contracting, of which there has been much talk of late. I should like to know if the hon. Gentleman will give some assurance that the grievance of the employees will be considered?

MR. BRODRICK: I will make further inquiries if the hon. Member will put down notice of another question.

SENTENCES ON DYNAMITARDS AND ANARCHISTS.

MR. HARRISON (Tipperary, Mid): I beg to ask the Secretary of State for the Home Department whether he will state to the House the official record of the crime of which the Walsall anarchists or dynamitards were convicted and of the sentences imposed; and also the official record of the crime of which the Irish "treason felony" or dynamitard prisoners were convicted and the sentences imposed?

MR. MATTHEWS: I have not copies of the records in these cases; and if I had, it would far exceed the limits of an answer to state the effect of all the counts of all the numerous indictments referred to. I may say, generally, that the Walsall anarchists were indicted under the Explosives Act of 1883, and received sentences of ten and five years' penal servitude. "Treason felony" prisoners, whether Irish, English, or Scotch, were indicted under the 11 and 12 Vict., c. 12, and received sentences ranging from transportation or penal servitude for life to penal servitude for five years.

MR. P. O'BRIEN: Will the right hon. Gentleman consider the case of Egan, in whose possession explosives were not found; they were found in his garden?

MR. MATTHEWS: The hon. Member will perhaps put notice of his question on the Paper?

PRECAUTIONS AGAINST FAMINE IN INDIA.

MR. MAC NEILL: I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State for India has been directed to a letter appearing in the *Echo* of the 6th April, signed by Sir A. Cotton, R.E., K.C.S.I., that the prospects in the part of India now subject to drought seem quite as bad as in 1877, when four millions of people perished, and that, except in the Punjab, where some real grappling with irrigation is now evident, not one single thing has been done since the last famine to provide against another; whether it is the fact, as stated in Sir A. Cotton's letter, three populous districts in Madras—Godavery, Kistna, and Tanjore—had been effectually provided with water, and that in these districts there was sufficient food for the sustenance of the inhabitants, and for the export of provisions which saved millions of lives in the adjacent districts; and will an inquiry be made into Sir A. Cotton's charge, which he says calls for peremptory investigation, that, after the awful results witnessed, not one single step has been taken to extend these effective works to the rest of the country dependent on the North-East monsoon?

MR. CURZON: The Secretary of State has seen Sir A. Cotton's statements. There is no ground for fearing that the distress in South India this year is as severe or as widely extended as at the same season in 1877. Then there were 783,000 persons receiving relief in Madras and Mysore; now the corresponding total is 39,500. The latest information received during the present week from the Governor of Madras does not justify any fresh alarm. As regards the allegation that, "except in the Punjab, not one single thing has been done since the last famine to provide against another,"

the capital expenditure on irrigation works since 1877 has amounted to Rs.123·85,000; while, in addition to continued expenditure upon existing works, the following new irrigation works have been commenced since 1877:—North-West Provinces.—Betwa Canal. Madras.—Sangam Anicut, Barur Tank,

Rushikalya Canal, Periyar Canal. Scinde.—Desert Canal, Unharwah Canal. The facts stated in the second part of the question were, broadly speaking, true of the situation in 1877, and not to the present scarcity, to which they refer. In view of the facts which I have mentioned, the Secretary of State sees no reason to inquire into Sir A. Cotton's allegations.

THE BOARD OF TRADE RETURNS.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the President of the Board of Trade whether his attention has been called to a leading article in the *Daily Chronicle* of 2nd April, suggesting possible improvements in the monthly trade and navigation statements of the Board of Trade; whether German goods shipped to England *via* Antwerp are classed in the Returns as Belgian, imports from Norway and Sweden *via* Hamburg classed as German, imports from the United States *via* the St. Lawrence classed as Canadian, and imports from Canada *via* Portland, Boston, and New York classed as United States goods; whether he will consider the possibility of obviating this inaccuracy by reference to the bills of lading and by a greater use of the Merchandise Marks Act, so that the real place of origin may be shown; and whether, with a view to increase the value of the Returns to the commercial community, he will follow the custom of the United States and other countries, and enter more into detail in the information given in these statements?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have looked at the article referred to. It does not accurately describe the present state of affairs. In the import and export statistics of the United States—referred to as superior to our own—no distinction is made at all as regards the countries from which imports are received, but the totals are lumped together from all countries, so that our monthly Returns already give more details than those of the United States. The suggestion contained in the question is one which has often been inquired into by Statistical Committees, with the result that the present practice has been adopted.

German goods coming from Antwerp are not classed in the Returns as Belgian goods, but are entered as coming from Belgium, as is the fact, and so with the other instances mentioned. It is easy to ascertain the country from which goods come to us, while difficulties, delays, and serious inaccuracies would probably be caused by the attempt to give the country of origin. The practice of other leading countries in the matter is not uniform; and some that have attempted to show the country of origin of imports, or the country of ultimate destination of exports, admit their failure. The subject, with others, will be again considered by the Revision Committee of the Board of Trade and Customs which annually considers all representations made for improving the accounts.

RURAL POSTS IN IRELAND.

MR. BARTON (Armagh, Mid): I beg to ask the Postmaster General whether a Petition has been received by him from the merchants of Portadown and inhabitants of the townlands of Ballinagore, Derryanville, Derrycorey, Derrycarn, and Derrymacal, near Portadown, asking for a rural post delivery to these townlands; whether the prayer of the Petition has been inquired into, and reported on by the Inspector; whether the result of such inquiry and report is favourable to the prayer of the petitioners; and whether, in view of the present serious inconvenience to persons residing in the locality, a rural post delivery will be granted for the district?

SIR J. FERGUSSON: Such a Memorial has been received. The arrangement desired by the memorialists appears to be convenient, and I hope that it may be found practicable to adopt it.

THE PLAGUE OF MICE IN SCOTLAND.

MR. MARK STEWART (Kirkcudbright): I beg to ask the President of the Board of Agriculture whether, considering that the plague of field mice or voles continues to spread, and is doing most serious damage in certain districts of the Stewartry of Kirkcudbright, Dumfriesshire, and other parts of Scotland, he will appoint a Departmental Committee to have a thoroughly

scientific investigation of this scourge, and of the best methods of stamping it out?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I replied on Thursday last to a precisely similar question, and I am afraid I have nothing to add to what I said on that occasion. I must refer the hon. Member to the answer I then gave.

MR. MARK STEWART: Will the right hon. Gentleman make further investigations during the Recess?

MR. CHAPLIN: I beg to say that we have already made as full investigation into this question as seems to be possible, and there is nothing to lead me to believe that I should acquire any further information which would tend to throw any fresh light on the question. I frankly acknowledge that I do not see my way to any action on the part of the Board of Agriculture.

THE ORDNANCE SURVEY.

MR. MARK STEWART: I beg to ask the President of the Board of Agriculture what progress the survey on the scale of the six remaining Scotch counties is making; how long in each case is it expected that the survey will take with the present staff employed; and when is it anticipated that it will be completed?

MR. CHAPLIN: The arrangement come to some time ago was to employ four out of the 18 Survey Commissioners in Scotland as soon as the Lancashire and Yorkshire surveys were finished. This arrangement will be adhered to.

CAPTAIN BUTCHER AND THE MANIPUR DISASTER.

MR. KING: I beg to ask the Under Secretary of State for India whether Captain G. H. Butcher, whom the Indian military authorities have removed from the Army on account of his conduct during the recent deplorable events at Manipur, asked for a Court Martial; and, if so, why it was refused?

MR. CURZON: On the receipt of the Report of the Court of Inquiry which sat at Manipur to investigate the circumstances of the disaster, Captain Butcher was furnished with the passages from the Report dealing with

his conduct, and was requested to submit explanations. It was on those explanations that the Commander-in-Chief in India recommended Captain Butcher's removal from the Service, which was carried out by the Secretary of State. Under the Queen's Regulations, no officer is entitled to a Court Martial, and neither the military authorities in India nor the Secretary of State saw anything in the case to justify them in granting Captain Butcher's request for one.

SORTERS IN THE POST OFFICE.

MR. J. ROWLANDS: I beg to ask the Postmaster General whether, on 5th February, the Lords of the Treasury sanctioned an increase of 49 first class sorters in the Circulation Department, and whether the sanction was dated 23rd January; whether a large number of second class sorters have been performing first class duties since the above was issued; and whether any appointments to the first class have been made; and, if so, how many?

SIR J. FERGUSSON: The answer to the first two paragraphs is, Yes. No appointments to the 49 vacancies have yet been made, but they are under consideration.

ENGLAND AND FRANCE IN WEST AFRICA.

MR. LAWRENCE (Liverpool, Abercromby): I beg to ask the Under Secretary of State for Foreign Affairs at what date communications between Her Majesty's Government and Alnamy Sammory were first initiated; and whether at any time, and, if more than once, at what dates, Alnamy Sammory has expressed his desire to Her Majesty's Government, either through official channels or otherwise, to place his dominions, or any portion of them, under the protection of the Queen?

BARON H. DE WORMS (who replied) said: The first occasion on which Sahnadoo sent messengers to the Government of Sierra Leone appears to have been in 1880 in reply to letters which had been sent to him and other Chiefs in the interior by Sir S. Rowe in 1879, for the purpose of encouraging trade between their countries and

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Sierra Leone. The next visit was in 1885, on which occasion Sahmadoo's messenger made a statement to Major Festing to the effect that his master wished to ask the Queen to take the whole of his territories under her protection. In reporting this statement in June, 1886, Sir S. Rowe stated that he did not attach much importance to it, but looked upon it as a mere expression of politeness. In March, 1886, Sahmadoo had already concluded a Treaty with the French Government by which, as they have informed Her Majesty's Government, he placed his countries under the Protectorate of France. He also made further Treaties with the French in 1887 and 1889. Sahmadoo has on subsequent occasions repudiated his Treaties with the French, and asked for British protection; but Her Majesty's Government were of course, under the circumstances of his engagements to France, debarred from complying with his request.

MR. LAWRENCE: Can the right hon. Gentleman tell me in what month of 1885 the first application was made to Her Majesty's Government?

BARON H. DE WORMS: I cannot say without notice.

MR. PARKER SMITH (Lanark, Partick): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the statement in the *Figaro* of 23rd January, 1892, that, by an arrangement of 26th June, 1891, England recognises French possession of the sources of the Niger on the eastern frontier of Sierra Leone; what is the nature of the arrangement referred to; and whether, considering the publicity already given to the matter in France, he is prepared to lay it upon the Table of the House?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): My attention has been called to the statement referred to. The arrangement mentioned is one for the purpose of delimiting a portion of the boundary between Sierra Leone and the French Protectorate, and also for delimiting a portion of the

western boundary of the colony of the Gold Coast. Papers relating to the Agreement will be prepared and laid.

THE GIBRALTAR SANITARY BOARD.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Under Secretary of State for the Colonies what was the reason for the change made in the constitution of the Sanitary Board of Gibraltar by the Order in Council of October, 1891?

BARON H. DE WORMS: The reasons will be disclosed by the correspondence about to be laid; but it may be stated briefly that, looking to the interests at stake, Her Majesty's Government considered that they should have more control over the Sanitary Board than they had before October, 1891.

EXCISE OFFICERS' PETITION.

SIR T. ESMONDE: I beg to ask the Secretary to the Treasury what reply has been made to the Petition of the Excise officers sent in May last to the Board of Inland Revenue for transmission to the Treasury?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): I must ask the hon. Member if he will put off this question, as I have not had an opportunity of conferring with the Chancellor of the Exchequer on this subject.

LETTERS TO MEMBERS.

MR. FLYNN (Cork, N.): I beg to ask the Postmaster General whether, in view of the near approach of the Easter Recess, he will consider the propriety of directing that letters addressed to Members of this House shall be re-directed to their addresses in the country?

SIR J. FERGUSON: I presume that the hon. Member means gratuitous re-direction. I have no power to remit the usual charge to Members of Parliament; but the whole question of charges for re-direction is under consideration.

MR. MACNEILL: Will the right hon. Gentleman give instructions to the Post Office officials of the House to put our letters into large envelopes? I sometimes have to pay as much as 1s. a day for my letters.

MR. SUMMERS: I beg to ask the right hon. Gentleman if the Post Office is using the powers given to it last Session with respect to the posting of letters?

SIR J. FERGUSSON: In answer to that, I can only say that we are using the powers.

THE DUBLIN POST AND TELEGRAPH OFFICE.

DR. TANNER (Cork Co., Mid): I beg to ask the Postmaster General if higher scales of pay and higher positions have been abolished or reduced anywhere else in the Kingdom but Dublin by the recent revision of sorting offices generally; and, if so, to what extent as compared with Dublin; on what grounds the abolition has been made, in face of the immense increase of the quantity and quality of the things carried by the Post Office; when and why the abolished or reduced higher scales of pay and higher positions were established or last raised; and whether, and, if so, how, it is proposed to compensate those officers whose prospects have been injured by this revision?

SIR J. FERGUSSON: The Dublin postal and telegraph establishment has recently been revised in order to bring it into line with other establishments of the same class in the United Kingdom. The old establishment at Dublin was irregular and anomalous—*e.g.*, the chief supervision of the telegraph duties being relegated to officers belonging to the postal branch, and in other respects. Under the changes of classification thus carried out, the staff generally have obtained material advantages in pay and prospects of promotion; and everything possible has been done to preserve the interests of the few officers who received no immediate benefit from the revision by allowing them to retain their old scales. Of course, no reduction has been made in the pay of any officer in consequence of these changes.

THE DELIVERY OF POST PARCELS.

MR. FLAVIN: I beg to ask the Postmaster General if in the ordinary course of transmission a parcel for Cork posted in London early on

Wednesday should have been delivered before the following Friday; whether the Postal authorities are justified in saying that such delivery was within a reasonable time; and whether the Post Office officials are correct in stating that they are not obliged to deliver Parcel Post parcels promptly?

SIR J. FERGUSSON: If for Cork itself it should have been delivered on Thursday afternoon; if for a place outside Cork, on Friday morning. Such would be reasonable. The rule is that parcels are to be delivered without delay, provided that the delivery of letters is not impeded.

THE CASE OF JAMES HUGHES.

STRANRAER.

MR. MARK STEWART: I beg to ask the Secretary to the Treasury if it is the case that James Hughes, of Stranraer, who was nominated by the Lords of the Treasury as a Customs boatman, was refused admission to examination by the Civil Service Commissioners on the ground of unsatisfactory certificates as to character; whether, when applied to, the Civil Service Commissioners refused all explanations of the grounds of their decision, although the Provost of Stranraer and other respectable tradesmen certify to Hughes's good character; and whether the Order in Council authorises the action of the Civil Service Commissioners?

SIR J. GORST: James Hughes passed his examination; but the Civil Service Commissioners having made the usual inquiries, were unable to certify that his character was such as to qualify him for public employment. The Commissioners have refused in this as in all other cases to make public the confidential communications which they receive in answer to inquiries as to character. I am not aware that the Orders in Council allow any appeal in such a case from the decision of the Commissioners.

POSTAL DELIVERY IN COUNTY KILKENNY.

MR. MAURICE HEALY (Cork) (for Mr. CHANCE): I beg to ask the Postmaster General whether he is aware that the letters for the district of County Kilkenny, between and

round Hugginstown and Harristown Post Offices, lie there, until called for, often for a month; and whether he would take steps to remedy this inconvenience by having the delivery extended for two miles to Monroe School, which is attended by the great majority of the children of the locality?

SIR J. FERGUSSON: I am sorry I have not been able to obtain this information, and I am afraid I shall not be able to do so till after the holidays.

THE IRISH MAIL SERVICE.

MR. MAURICE HEALY: I beg to ask the Postmaster General if he can give any figures showing the comparative volume of the mails transmitted between Dublin and Belfast, as compared with the mails transmitted between Dublin and Cork, including in the latter the American mails?

SIR J. FERGUSSON: I am unable to give the precise figures, but will have Returns made. I am sorry to find that I misled the hon. Member the other day in stating, in reply to his supplementary question, that the volume of mails on the Northern and Southern lines, of which I spoke, included all the through mails. I so read the information which I had received. The fact is, as I understand, that the volume of local mails carried by the two lines is not very different, while the American mails would render that over the Great Southern and Western much larger, and heavy mails are in addition carried to Belfast by the Stranraer route.

MR. MAURICE HEALY: When will the right hon. Gentleman be prepared to give me the information?

SIR J. FERGUSSON: I have directed that an account shall be kept. The letters are not weighed; they are only counted. After the holidays I shall be able to give the hon. Member the information.

DR. TANNER: I beg to ask the Secretary to the Treasury if he can grant the Motion for to-day relating to the Irish Mail Service?

SIR J. FERGUSSON: I will answer this question. I cannot give the Correspondence between the Post Office and a Railway Company. It is not usual to publish Correspondence relating to a

Departmental arrangement, but the results are known to Parliament.

DR. TANNER: Seeing that there is such a difference of opinion between the Treasury and the Post Office, will the right hon. Gentleman not afford us an opportunity of ascertaining where the blame lies?

SIR J. FERGUSSON: I have already given the House all the information I have on the subject. The House knows quite as much as I do about it.

ROMAN CATHOLIC MAGISTRATES AND DEPUTY LIEUTENANTS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what proportion of the inhabitants of County Donegal belong to the Roman Catholic religion, and what proportion of the Magistrates of the same county are Roman Catholics; and how many Roman Catholics in the said county have attained to the rank of Deputy Lieutenant?

*MR. JACKSON: As regards the religious persuasion of the inhabitants of County Donegal, the hon. Member will find all the information in the Census Returns when they are issued. There is no official record kept of the religion of gentlemen appointed to the Commission of the Peace, and it would be impossible to get the detailed information sought in that direction. No official record is kept of the number of Roman Catholics appointed to the office of Deputy Lieutenant; but, as I have stated in reply to previous questions, the Lord Lieutenant of a county is always ready to consider the names of Roman Catholics submitted to him for Commissions of the Peace, and the Lord Chancellor is always ready to give effect to his recommendations.

ELTHAM WOODS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary to the Treasury whether the Commissioners of Woods and Forests have signed a provisional agreement to sell the Eltham Woods to a private association?

SIR J. GORST: No, Sir.

MR. J. ROWLANDS: I beg to ask the First Lord of the Treasury whether

the Commissioners of Woods and Forests have entered into a provisional agreement for the sale of Eltham Park; whether the London County Council is trying to acquire the park; and whether the Government will prevent the sale of the property to private individuals until the Representative Authority of London has had full opportunity of negotiating for the purchase of it for the use of the people of London?

SIR J. GORST: My right hon. Friend has asked me to answer this question. The answer to the first question is, No. The Commissioners of Woods have no knowledge that the London County Council is trying to acquire either Eltham Woods or the residence and land known as Eltham Lodge, or North Park, Eltham.

MR. J. ROWLANDS: I wish to ask the right hon. Gentleman whether in the public interest the County Council should not be given an opportunity of purchasing this land before any other body?

SIR J. GORST: No, Sir. I do not think the Woods and Forests Commissioners can give the right of pre-emption to the London County Council. I am not aware that any negotiations on the subject have been entered into by them.

OVERTIME IN THE POST OFFICE.

DR. TANNER: I beg to ask the Postmaster General if he is aware that the uniform rate of overtime payment allowed by the Treasury for clerks of the Second Division and paid to officers of that class in Departments other than the Post Office is 1s. 6d. per hour; and, if so, why are the Second Division clerks in the Post Office not paid at that rate; and whether sorting clerks, postmen, and other classes of the minor establishment of the Post Office are paid for overtime at a rate and a quarter with a maximum of 1s. 7d. per hour; and, if so, will he extend this principle of payment to the major establishment, in so far as it is covered by the present limit allowed by the Treasury?

SIR J. FERGUSSON: In the Post Office, subject to a prescribed maximum, Second Division clerks are paid for overtime rateably upon their salaries. The practice could hardly be

altered in the case of Second Division clerks without a similar alteration throughout the Post Office generally; and this would involve a very large outlay. An application to that effect has, however, been received from some of their number and it is under consideration. It is not proposed to extend the principle of paying for overtime at a rate and a quarter beyond the classes which now receive it.

DRIFT FISHING IN THE SUIR.

MR. MAURICE HEALY (for MR. CHANCE): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government will lay upon the Table of the House the evidence taken by the Irish Fisheries Commissioners at Waterford on 3rd August last, when they refused to amend the bye-law of 15th July, 1884, prohibiting drift fishing in the tidal waters of the Suir above Drumdowney Point, or to revert to the previously existing bye-laws permitting drift fishing up to Fishertown Point and Glasshouse Quay; whether he is aware that since the passing of the bye-law of July, 1884, the drift fishers at Ballinalaw and Glasshouse have become impoverished, and the number of amateur rod fishers on the Suir largely increased; and whether the Government intend to make any provision for protecting public rights on that river, and for repairing the quay at Glasshouse, now ruinous and dangerous to the working fishermen using it?

MR. JACKSON: I find that the shorthand writer's notes of the proceedings in Court before the Inspectors of Fisheries in the case referred to are, together with the evidence, available, and if the hon. Member thinks it of importance and desires to move for it I shall not oppose it. There are no funds at the disposal of the Government for the purpose of repairing the quay mentioned.

LETTERKENNY DISTRICT LUNATIC ASYLUM.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many Catholic members are on the Donegal District Asylum Board, and how many Protestant members; and whether, having regard

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to the fact that the Catholic population of the county far outnumbers all other denominations in it, he would recommend the appointment of other Catholic members?

MR. JACKSON: The Board of the Letterkenny District Asylum consists of 18 members, of whom nine are selected from nominations made by the Grand Jury, and nine are nominated by the Lord Lieutenant. There is no official record of the religions of the gentlemen so appointed.

MR. MAC NEILL: Does the right hon. Gentleman know how many are Catholics and how many are not?

MR. JACKSON: No, I do not, and I suppose there is no record of it.

ALLEGED VIOLENCE BY THE IRISH CONSTABULARY.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether there has been any inquiry by the Inspector General of the Royal Irish Constabulary as to the circumstances under which Constable Millar of that Force fractured the skull of a man named Francis Coogan by a blow of his baton, in Belfast, on the night of the 10th ultimo; and whether Coogan's life is or has been in danger?

MR. JACKSON: The Constabulary Authorities report that the constable alleges that he was attacked by the man referred to, and that he struck him in self-defence. The man's life does not appear to have ever been in actual danger. It is understood that legal proceedings are contemplated against the constable by the complainant, when the circumstances will be fully investigated on oath.

MR. SEXTON: If there are no legal proceedings will there be an inquiry?

MR. JACKSON: I think the hon. Member will see that if proceedings are going to be taken it is desirable that the case should not be prejudiced on one side or the other.

MR. P. O'BRIEN: Has not the constable his remedy at law?

MR. JACKSON: I do not think I can go into that matter.

THE SCARIFF DOCKS.

MR. COX (Clare, E.): I beg to ask the Secretary to the Treasury whether the ruinous condition of the Scariff (County Clare) Docks and the roadway leading thereto has been brought under the notice of the Irish Board of Works, in whom the control of the docks and the Scariff River navigation is vested; whether it is a fact that there is neither a crane nor a weighing machine on the pier, although there is a regular service of twelve steamers plying to and from the dock weekly; and whether, in view of the great importance of this quay to the trade of the surrounding neighbourhood, he will give instructions to the Board of Works to have the necessary improvements immediately carried out?

SIR J. GORST: I am informed that the Scariff Quay is in fair order, and the road up to it within the Board's boundaries is in good order. I am advised that the traffic would not justify the erection of a crane by the Government, and there is no weighing machine at any quay on the Shannon. The approach road from Scariff is a County road, and the Board cannot spend money in improving it.

MR. COX: Will the right hon. Gentleman inquire whether there is not a weighing machine at Killaloe?

SIR J. GORST: If the hon. Member will repeat his question I shall be able to give an answer.

HAULBOWLINE DOCKYARD.

DR. TANNER: I beg to ask the First Lord of the Admiralty how many dockyard employees are now working at Haulbowline; what is the nature of their employment; and whether any skilled dockyard artificers are now employed at Haulbowline?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Excluding men employed under the Works Department, there are at present 21 men working in the dockyard at Haulbowline. These men are at present engaged in the repair and maintenance of caissons, yard machinery, pumping engines, steam launches, boats, yard plant, &c. Among these men are included six skilled dockyard artificers.

MR. P. O'BRIEN: I should like to know how the machinery comes to require repairs, considering that it has never yet been set in motion?

No answer was given.

THE GLENBEIGH ARTILLERY RANGE.

MR. MAC NEILL: I beg to ask the Secretary of State for War whether he is aware that the artillery practice carried on at Glenbeigh seriously interferes with the salmon fishing and the gathering of cockles at low water in Caran Estuary, County Kerry, which are sources of livelihood for the poor people of the neighbourhood; and whether he will give directions to have a stop put to this artillery practice?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The case of the Glenbeigh range will be considered by the Committee on Target Practice Seawards. Bye-laws have been recently framed, after a public inquiry, but they will not be promulgated till the Committee has reported.

MR. MAC NEILL: Is the right hon. Gentleman aware that reports have been made that this place is seriously affected by the artillery practice?

MR. E. STANHOPE: I am not aware, but if the hon. Member will give me any evidence on the point full inquiry shall be made.

MR. MAURICE HEALY: Can the right hon. Gentleman say whether the Target Practice Committee will hold sittings in Ireland for the purpose of making local inquiries, as they have done at different places in England?

MR. E. STANHOPE: That question will lie entirely with the Committee, and if evidence is tendered I have no doubt they will accept it.

ILLEGITIMACY IN SCOTLAND.

MR. CUNINGHAME GRAHAM: I beg to ask the Lord Advocate whether he would be willing to support a Bill to confer on the mother of a child born out of wedlock the same rights and obligations towards that child as if the child had been born in wedlock, and to confer on the person acknowledging himself to be the father of a child born out of wedlock, or against whom a bastardy order has

been made in respect of a child, the same rights and obligations towards that child as if the child had been born in wedlock?

*SIR C. J. PEARSON: I cannot give the hon. Member my decision on this question until I have seen his proposals put in the form of a Bill.

THE CONFIRMATION OF ASYLUM INMATES.

MR. COBB: I beg to ask the Secretary of State for the Home Department, in view of the fact that certain inmates of the Starcross Idiots Asylum have recently been confirmed by the Bishop of Exeter, whether any of those who were confirmed are still in the asylum; and whether any steps will be taken to ascertain their mental condition with a view to their release?

MR. MATTHEWS: I have no official information as to the facts referred to by the hon. Member. The Lunacy Commissioners inform me that they will inquire whether any of the inmates of the Starcross Asylum are fit for discharge. It does not follow from the fact that they have been, no doubt most properly, confirmed, that it would be expedient to deprive them of the care and training which the asylum affords.

MR. COBB: Will the right hon. Gentleman say whether the Bishop gave as the reason for confirming these idiots that the weakest minds were most open to religious influences?

MR. MATTHEWS: Oh, no, Sir; I have no information of that sort.

A SCHOOL BOARD FOR HANDSWORTH.

MR. P. STANHOPE (Wednesbury): I beg to ask the Vice President of the Committee of Council on Education whether, having had sufficient opportunity to consider the representations which the Education Department have received from Handsworth, Staffordshire, he is now prepared to take steps, under Sub-section (2) of Section 12 of the Education Act of 1870, in order to constitute a School Board for Handsworth?

*SIR W. HART DYKE: The case was not so clear as to justify the Department in acting under Section 12

(2) of the Elementary Education Act, 1870, and notices are in course of preparation for the supply of the deficiency in the manner prescribed by Section 9, but if the feeling of the inhabitants is strongly in favour of a School Board being set up immediately they cannot do better than pass a resolution to that effect under Section 12 (1).

MR. MUNDELLA (Sheffield, Brightside) : I should like to ask whether in this and all other cases the rule applies with respect to applications?

*SIR W. HART DYKE : I have fully answered that question in regard to the application of the section in this particular case, and I am not sure that I know what exceptions the right hon. Gentleman has in his mind.

MR. MUNDELLA : I understood the right hon. Gentleman to say that it does not apply to London.

*SIR W. HART DYKE : Oh, no, Sir. Does the right hon. Gentleman refer to a previous question?

MR. MUNDELLA : I do.

*SIR W. HART DYKE : I do not know whether I am in Order in referring to a previous question, but if I am I can only repeat that the particular case is before the Department, and a final decision has not been arrived at. I have already stated that the Permanent Secretary is away, and I have not been able to confer with him in the matter.

THE IRISH EDUCATION BILL.

MR. FLYNN : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen a copy of the resolution passed at a meeting of the Bishops and Archbishops of Ireland on the subject of the Irish Education Bill, and which called upon the Government to

"Give effect to the recommendations of the Powis Commission in the matter of religious freedom in unmixed schools ;"

and whether these resolutions of an important body will be taken into consideration by the Government?

MR. JACKSON : Yes, Sir ; by the courtesy of the Catholic Bishop of Galway I received copies of the resolutions referred to, and the hon. Member himself sent me a newspaper cutting. I do not think I can add to the state-

ment I made during the introductory stage of the Education Bill?

MR. FLYNN : Does the right hon. Gentleman intend to give no consideration to this resolution?

MR. JACKSON : I do not think the hon. Member must draw any conclusion of that sort, but he must bear in mind that the Commission sat as long ago as 1868 or 1870, and since then there has been a reasonable amount of time.

THE SENATE OF LONDON UNIVERSITY.

MR. SUMMERS : I beg to ask the Secretary of State for the Home Department whether any, and, if so, what, steps have been taken to fill up the vacancies on the Senate of London University caused by the deaths of the Duke of Devonshire and Dr. Hirst?

MR. MATTHEWS : I have submitted to Her Majesty the name of a gentleman to succeed the Duke of Devonshire in the Senate of the University of London. When Convocation has nominated their list of those persons to supply the vacancy caused by the death of Dr. Wood, I shall in due course submit to Her Majesty the name of a gentleman to succeed Dr. Hirst.

THE DISTRICT MESSENGER SERVICE.

MR. LABOUCHERE : I beg to ask the Secretary to the Treasury whether he is aware that the Commissioners of Woods and Forests are exacting a charge of 5s. per annum from the District Messenger Service and News Company for premium to maintain any attachment, for the purpose of carrying a wire for telegraphic communication, to the chimney stack of any house of which the Crown is the ground landlord ; and whether he will consider the expediency of urging on the Commissioners of Woods and Forests the desirability of allowing their tenants to become subscribers to companies providing means for telegraphic communication without exacting from the companies this rent?

SIR J. GORST : The answer to the first paragraph is in the affirmative. I see no ground for urging the Commissioners of Woods and Forests to alter the arrangement.

ORNAMENTAL GARDENING IN THE GREEN PARK.

MR. SEAGER HUNT (Marylebone, W.): I beg to ask the First Commissioner of Works if he will consider the advisability of planting with flowers the Piccadilly side of the Green Park in a manner similar to that in which the Park Lane side of Hyde Park is planted?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The Piccadilly side of the Green Park was formerly planted with flowers, but the planting was discontinued some years ago, owing chiefly to the fact of the trees having grown so much at that time that they shaded the beds and spoiled the flowers; and this difficulty, in the way of making such planting successful, would be greater now by reason of the further growth of the trees. I think we must apply such funds as we can afford for this kind of ornamental gardening in those places where it can be carried out to the best advantage.

THE CORK COURT HOUSE.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland by whom the costs of the Act passed last Session for the rebuilding of the Cork Court House was defrayed; whether he is aware that all the criminal business of the County and City of Cork is done in the building in question, and that, in addition to this, the Winter Assizes for the whole of Munster is frequently held there, and large numbers of criminal cases from all parts of Ireland have been, at the instance of the Irish Executive, tried there within the past ten years; whether the Government propose to contribute anything to the rebuilding of the Court House; and whether there is any distinction in principle between this case and that of the Green Street Court House, in which the Government offered to contribute a large sum towards the costs of rebuilding?

MR. JACKSON: The cost of the Act referred to is presumably to be paid by the Local Authorities. I know of no intention on the part of the Govern-

ment to make any contribution towards rebuilding the Court House.

MR. MAURICE HEALY: The right hon. Gentleman has not answered the second and fourth paragraphs.

MR. JACKSON: I presume that there is a certain portion of criminal business done in the Court House, but I have no knowledge of the circumstances which led the Government to give in this case a contribution to the cost of the Green Street Court House in Dublin. I see nothing to distinguish Cork from the other counties of Ireland.

MR. MAURICE HEALY: I did not ask the right hon. Gentleman whether Cork should be differentiated from the other counties of Ireland. I asked him whether Cork was differentiated from Green Street?

MR. JACKSON: I have no knowledge of the circumstances.

MR. MAURICE HEALY: I will put it on the Paper.

MR. JACKSON: If the hon. Gentleman will allow me to answer, I will say that I have no knowledge of the circumstances which led the Government to promise a contribution in the case of Green Street in Dublin, and I know nothing which differentiates Cork from the rest of the counties of Ireland.

MR. MAURICE HEALY: I shall repeat the question, and I hope the right hon. Gentleman will then have the information.

MR. JOHN HOOD.

MR. MORTON (Peterborough): I beg to ask the First Lord of the Treasury whether, in consequence of Mr. John Hood being deprived of his means of livelihood through having given evidence before a Committee of this House, and therefore under the protection of this House, he will receive at the hands of Her Majesty's Government compensation for the loss he has sustained?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I do not know any precedent for the course proposed by the hon. Gentleman, nor do I think it would be convenient to make one.

ALLOTMENTS IN SCOTLAND.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the First Lord of the Treasury whether it is the intention of Her Majesty's Government to bring in a Bill this Session to make provision for conferring on Scotland the same powers which are in operation in England and Ireland in regard to allotments?

MR. A. J. BALFOUR: The conditions in Scotland differ very much from those in England, and there is not the same desire or necessity in Scotland for a Bill of this kind; but, at the same time, the Government are perfectly ready to extend these powers to Scotland, if there is any wish for them.

RURAL POSTMEN IN IRELAND.

MR. FLYNN (for Mr. MAC NEILL): I beg to ask the Postmaster General whether he is aware that James M'Carthy, a rural postman, walks with the mails every morning from Money-more to Miscarn, a distance to and fro of 14 miles, for the salary of 9s. per week; and whether, having regard to the great distance this man goes on foot in all weathers, he will be able to see his way to making some increase of his salary?

SIR J. FERGUSSON: Attention has already been called to this case, and it is intended to raise the postman's wages.

THE CHICAGO EXHIBITION.

SIR T. ESMONDE: I beg to ask the Secretary to the Treasury whether, in considering the question of an increase of the grant for the Chicago Exhibition, the Government will also consider the question of allocating Ireland's share of that grant to a committee of Irishmen; and how soon he will be in a position to state whether an increased grant has been sanctioned; and, if so, to what amount?

SIR J. GORST: The Government cannot possibly at present say when the question of the increased grant will be considered.

TELEGRAPH STATION FOR FENIT,
COUNTY KERRY.

SIR T. ESMONDE: I beg to ask the Postmaster General how soon the

promised telegraph station will be opened at Fenit, County Kerry?

SIR J. FERGUSSON: I am sorry that no time can be fixed, as a difficulty about a wayleave has occurred.

THE COST OF THE POWIS
COMMISSION.

SIR T. ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Government would have any objection to furnish a Return showing the total cost of the Powis Commission?

SIR J. GORST: The right hon. Gentleman has asked me to answer this question. I beg to refer the hon. Baronet to pp. 24-25 of the Parliamentary Paper No. 426 for 1888, which shows that the total cost of the Powis Commission was £17,185.

THE REBELLION IN PAHANG.

MR. OSBORNE MORGAN (Denbighshire, E.): I wish to ask the right hon. Gentleman the Under Secretary of State for the Colonies a question of which I have given him private notice. It is whether he is in possession of any further information respecting the rebellion in Pahang?

BARON H. DE WORMS: On Saturday the Secretary of State telegraphed to the Straits Settlement for full particulars as to the late events in Pahang. He telegraphed to Singapore; and meanwhile a telegram was received yesterday from the Governor, who was at Pahang, in the following words:—

"Two Englishmen, employees of Timber Company—Harris and Stewart—separately murdered at Pahang by petty chief from Pekan. No reason to think that murder was connected with other disturbances."

This morning a telegram was received from the Colonial Secretary at Singapore in answer to the Secretary of State's inquiry. It is dated yesterday, and runs as follows:—

"3rd April, British authorities at Pekan warned that Panglima Muda, River Jempul, intended mischief. Threat verified by murder Stewart, Harris, employees of Exploration Company, at work in forest. 6th April, Magistrate of Pahang in expectation of attack, all safe up to 9th April. Her Majesty's ship *Hyacinth* proceeds immediately for Pahang. Disquieting rumours from Raub. Possibility of hostilities there and Lepis. Rogers in safety with Sultan up country, 6th April. Officers' families arrived at Singapore."

I may add that Raub, one of the mining centres in Pahang, is in telegraphic communication with the colony.

THE GRESHAM UNIVERSITY.

MR. BARTLEY (Islington, N.): May I ask the right hon. Gentleman the First Lord of the Treasury if he can now give us any information in reference to the composition of the Commission appointed to inquire with regard to the Gresham University?

MR. A. J. BALFOUR: I am afraid I am not able to give my hon. Friend any information on the subject yet; but if possible I shall do so before the House rises.

COLONEL SAUNDERSON AND HOME RULE.

MR. P. O'BRIEN: I desire to ask the right hon. Gentleman the Attorney General for Ireland a question of which I have given him private notice. It is whether his attention has been drawn to the report of a speech delivered by the hon. Member for North Armagh, in Belfast, in which, anticipating the establishment of an Irish Parliament, the hon. and gallant Gentleman is reported to have said—

"We intend to oppose by every means God has given us the creation of such an Authority in Ireland, and we intend to defy its authority; we intend to undermine and destroy it"?

I wish to ask the right hon. Gentleman whether the Criminal Law Procedure (Ireland) Act does not contain a clause empowering the Crown to prosecute persons suspected of an intention to commit, or to induce others to commit, a crime; whether it is any crime to attempt to undermine or destroy by any means any institution by law established; and whether it is intended to institute any prosecution in this case; and, if not, are Irish Members at liberty to declare that they would refuse to obey the County Councils if by law established in Ireland, and thus to set the law at defiance?

*THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): The hon. Member was good enough to give me private notice of this question, but I must point out that it is founded upon an erroneous

assumption as to an essential matter of fact. There is not in Ireland a Parliament by law established, and, therefore, the question does not arise.

MR. P. O'BRIEN: I should like to ask the right hon. Gentleman the First Lord of the Treasury if he intends to fulfil his promise to visit Belfast, and if he goes there will he endorse the statement of the Member for North Armagh?

PEERS AND THE ELECTION OF COMMONERS.

MR. T. M. HEALY: I wish to ask the right hon. Gentleman the First Lord of the Treasury whether there is any rule of etiquette which prevents the English Lord Chancellor from attending public meetings in favour of a candidate of any Party, and if such a rule exists why does it not apply to the Irish Lord Chancellor?

MR. A. J. BALFOUR: I was not aware that there was any such rule as that to which the hon. and learned Gentleman refers. If he will put a question on the Paper, I will make inquiries in the proper quarter, and ascertain if it is so.

MR. T. M. HEALY: Is there any rule preventing Peers from interfering with the election of Commoners?

MR. A. J. BALFOUR: Oh, yes, Sir. I thought the hon. and learned Gentleman referred to the Lord Chancellor.

MR. T. M. HEALY: I wish to ask the right hon. Gentleman if it has his sanction that this particular Peer has been intermeddling with the election of a Commoner?

MR. A. J. BALFOUR: That is a fact that has to be proved yet.

MR. T. M. HEALY: I will have to call the attention of the Government to-morrow to a report in reference to this matter which appeared in the *Times* newspaper.

VICTUALLING STORES.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty if a reply has been sent to the letter of the Comptroller General, dated 31st December last, re the "establishment" of stores at Sierra Leone

and elsewhere; and whether he can give the House an assurance that such losses as have occurred at Sierra Leone will not be permitted in any of the victualling yards, by supplying them according to a fixed "establishment," without reference to "issues," seeing that £1,100 of stores sent to Sierra Leone have been condemned, on return in June, 1890, as only worth £105, and regarding which the Comptroller adds that

"Other condemnations of victualling stores returned from the same yard may be expected to be found in later accounts of the Royal Victoria Yard."

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): The letter referred to by the hon. Member for Sunderland has been answered. Stores at depôts are fixed on an "establishment" based on the estimated demands. This "establishment" has to be varied from time to time, and reductions were found possible at Sierra Leone, which accounts for an unusual amount of depreciation on the stores returned to this country. The condemnations and losses on account of victualling stores from all sources in the year 1890 barely exceeded $\frac{1}{2}$ per cent. on the value of stocks in the depôts and on board ship, and this small loss on perishable stores exposed in trying climates is a satisfactory testimony to the care exercised as regards the extent of stock and its custody.

MR. GOURLEY: Can the right hon. Gentleman say anything about the figures?

MR. FORWOOD: Perhaps the hon. Member will repeat the question to the Financial Secretary.

MR. GOURLEY: I will repeat it.

ENGINE-ROOM ARTIFICERS.

SIR J. PULESTON (Devonport): I beg to ask the First Lord of the Admiralty whether, through dearth of engine-room artificers, the number of this class has been reduced in Her Majesty's ships recently commissioned and additional chief stokers are being employed?

LORD G. HAMILTON: No. The changes alluded to are the result of a careful investigation and revision of existing and past complements, and are not in any way influenced by the numbers of the existing lists.

THE HARBOUR OF SAN QUINTIN.

COLONEL HAMILTON (Southwark, Rotherhithe): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a telegram from San Diego, California, which appeared in the *New York Herald* of the 24th March, stating that there was a scheme on the part of Great Britain to secure the harbour of San Quintin for a coaling station, and that the Mexican International Company was being used as a cloak for the same; and whether there is any truth in these allegations?

MR. J. W. LOWTHER: My attention has been called to the telegram in question. There is no truth whatever in either of the specific allegations referred to in the hon. Member's question.

MR. BARTLEY: Arising out of this answer, may I ask the hon. Gentleman whether he will send a copy of his reply to Her Majesty's Minister at Washington?

MR. J. W. LOWTHER: Yes, Sir; there is no objection to that course being taken.

THE PRISONER HANDLEY.

MR. T. J. HEALY (Wexford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why the prisoner Handley, convicted at the recent Wicklow Assizes for a murder committed in the County Wicklow, is to be executed in Wexford; whether there is a county gaol in Wicklow where the execution could take place; and, if that gaol is not convenient for the purpose, why the execution should not be carried out in Dublin, or some other place nearer the scene of the murder than Wexford?

MR. JACKSON: The Lord Lieutenant's Order of 6th April, 1880, closing Wicklow Prison, directs that Wexford Prison shall be the legal place of detention for prisoners from the County Wicklow. His Excellency has been advised that the sentence referred to cannot legally be carried out in any prison other than Wexford.

JURORS AT CRIMINAL TRIALS.

MR. COBB: I beg to ask the Attorney General whether, in view of

the remarks made at the trial of the Walsall Anarchists on the hardship of criminal jurors having to wait during the hearing without remuneration, when he is reported to have promised to take note of the matter as a great hardship, he will consider the desirability of amending the law at an early date in order to give reasonable allowances for loss of time, and travelling, and other expenses to jurymen at Assizes, Quarter Sessions, and Coroner's inquests?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Her Majesty's Government are fully alive to the burden which is imposed upon jurors in criminal cases by the fact that no allowance is made for their expenses, and the matter is receiving consideration. It is, however, a question of considerable difficulty, and it is necessary that accurate information should be obtained as to the probable charge which the amendment of the law suggested by the hon. Member would entail upon the Exchequer.

MR. JUSTICE ROMER.

MR. DUNCAN (Barrow-in-Furness): I beg to ask the Attorney General whether, in the event of Mr. Justice Romer being unfortunately prevented by the continuance of illness from resuming work in Court immediately after the Easter Vacation, any, and what, arrangements will be made for the transaction of business in his Court?

SIR R. WEBSTER: I am not in a position to say what arrangements will be made if, unfortunately, Mr. Justice Romer should be unable to sit after the Easter Vacation. The Lord Chancellor and the Lord Chief Justice will, if necessary, take the matter under their consideration. I hope, however, that the speedy recovery of the learned Judge will prevent the necessity for any action being taken in the matter.

ROAD CONTRACTORS IN IRELAND.

MR. T. J. HEALY: I beg to ask the Attorney General for Ireland whether he is aware that, at the Wexford Spring Assizes, the tender of a man, named John Smith, who tendered to keep in repair a road in the Barony of

Ballaghkeene North at the rate of 5d. per perch, was rejected, and the contract given to a man, named Tomkins, at 7d. per perch, although Smith and his sureties were perfectly solvent; and if he will explain why Smith's tender, which was the lowest, was not accepted, having regard to the provisions of the Irish Grand Jury Act and the cases decided thereon?

MR. MADDEN: The facts are substantially as stated in the first paragraph of the hon. Member's question. I do not know, and I have no means of ascertaining, why Smith's tender was not accepted.

THE INCIDENCE OF TAXATION.

VISCOUNT CURZON (Bucks, Wycombe): I beg to ask the First Lord of the Treasury whether Her Majesty's Government would assent to the appointment of a Royal Commission to inquire into the incidence of taxation generally, and especially of local taxation, with a view to ascertain whether there are certain classes of property now exempt which ought to contribute to such local taxation, and whether certain properties now rated are unduly burdened?

MR. A. J. BALFOUR: In answer to my noble Friend, I have to say that the Government see great advantages in an inquiry into some of the points mentioned in his question. There is no doubt a great deal of ignorance prevailing upon the subject of the incidence of taxation, especially of local taxation, in the public mind; and an investigation by some competent body into the complicated facts of ownership in London, and problems arising therefrom, would, I think, be useful. It would be impossible to find the material for a Commission like that now inquiring into labour, even if the proposed investigation could conveniently be entrusted to such a body. Probably the best way will be to appoint a small body of experts with instructions to examine and analyse the facts, though not necessarily to make recommendations as to the public policy which ought to be based on the facts.

MR. LAWSON (St. Pancras, W.): I beg to ask the right hon. Gentleman whether by experts he means professional valuers and surveyors; and

whether he is aware that a great number of expert witnesses on every side of the question have given evidence at great length on the subject before the Town Holdings Committee?

MR. A. J. BALFOUR: By experts I do not necessarily mean those professionally engaged in surveying or valuing land. I meant persons who have an acquaintance with practical economic investigation, which often lies at the root of all these matters. I am aware that a variety of evidence has been given on the subject before the Town Holdings Committee.

THE SCOTTISH SEA FISHERIES.

MR. MARJORIBANKS (Berwickshire): I beg to ask the First Lord of the Treasury whether he can state in what manner it is the intention of the Government to give effect to the Resolution recently passed by the House with regard to Scottish sea fisheries; and whether the Government will consent to allow the Sea Fisheries Regulation (Scotland) Bill to be read a second time, and then to be referred to a Select Committee?

MR. A. J. BALFOUR: I understand it is the intention of my noble Friend the Secretary for Scotland to bring forward a proposal in the House of Lords to carry out the Resolution of this House with regard to Scottish sea fisheries. Perhaps the right hon. Gentleman will find it convenient to await that proposal before he proceeds with the Bill mentioned in the final paragraph of his question.

MR. T. M. HEALY: When the Bill comes down here I shall oppose it, or any Bill of the kind, unless the same powers are applied to Ireland in accordance with the undertaking to abolish Irish trawling as well as to abolish Scotch trawling.

STATUTE LAW REVISION.

Lords Message [7th April] considered.

Ordered, That Mr. Howell be added to the Joint Committee on Statute Law Revision.

Ordered, That a Message be sent to the Lords to acquaint their Lordships that this House has added One of its

Members to the Joint Committee on Statute Law Revision, as requested by their Lordships.—(Mr. Akers-Douglas.)

ORDERS OF THE DAY.

WAYS AND MEANS—COMMITTEE.

FINANCIAL STATEMENT, 1892-3.

Considered in Committee.

(In the Committee.)

*(4.53.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Mr. Courtney: it frequently happens that when a traveller finds himself in a mountainous country and is ascending a slope he fancies that the point which he sees above him is the highest point of the hill, only to find when he reaches it that it is not the top, and that he has still further slopes to climb. We have had a similar experience during the last few years, as we have been ascending the curve of financial prosperity. For two or three years running we thought that the top was in sight; we thought that we should soon reach the table land, and have no further heights to scale, even if we did not actually find a decline; but still the curve led happily upwards. Time after time, Estimates framed on the theory that the top was in sight have been exceeded—happily exceeded I think for the benefit of the country. Last year we really thought that the top had been reached, and I think I may say, on the whole, that the forecast was justified. I am again, however, permitted by fortune to submit a surplus to the Committee—a surplus of £1,067,000, which I owe, as I say, to good fortune; partly also, I hope I may say, to the moderation of the spending Departments. That surplus is not due to any great extent to any expansion of Revenue. I do not think any of the great sources of Revenue show any considerable excess over the Estimates which I submitted to the Committee last year. Except with one striking fortuitous exception, the Estimates have been generally exactly realised. I will not conceal from the Committee that there have been times—aye, there have been months—when I have felt very considerable anxiety as to the final result.

It is a very anxious period for a Chancellor of the Exchequer when he finds that any of the great sources of Revenue are hanging fire, even for a few weeks. During January and February, I admit, the prospects did not look bright. March was a better month; and I am now able to submit what I hope, as regards the past year, will be a not unsatisfactory result to the Committee. I will, according to custom, deal, in the first instance, with the Expenditure of the last year. The Budget Estimate of Expenditure for that year was £90,264,000, and the actual Expenditure was £89,928,000—a saving of £336,000, which is a contribution to the surplus I have mentioned. The Committee will remember that there were not unimportant Supplementary Estimates submitted to them. Assisted Education, with the concomitant grants made to Scotland and Ireland, was put down in the Budget at £920,000; but ultimately £1,006,000 had to be voted, showing an additional charge of £86,000. When we come to the Estimates for this year, it will be seen that the excess of this charge over the original estimate is considerable, for the Committee will remember that during the progress of the Education Bill the age was lowered in one direction from five to three, and raised in the other from 13 to 15. It is, therefore, not unnatural, from a fiscal point of view, that as the result of that operation my Budget Estimate was exceeded. Well, then, with regard to the Post Office, there was a very considerable Supplementary Estimate. A sum of £362,000 additional was asked for the Post Office, including a tremendous haul, if I may say so, of £175,000 for the site of the Liverpool Post Office alone. I shall have some consolation during the course of my speech to give to those who think that the Revenue derived from the Post Office is too large. There are Members who think that the profit is excessive; but the expense, on the other hand, is rapidly diminishing the margin which hitherto the State has received. Of that £362,000 additional for the Post Office, increased salaries and wages accounted for a great deal. For Irish distress, and for some works connected with the

Crofter districts, the Budget Estimate was £125,000, but £237,000 was voted, which gave an excess of £112,000. There were also further miscellaneous Estimates which amounted to £100,000. The total was £660,000 for Supplementary Estimates, which raised the total estimated Expenditure to £90,924,000. But there were savings on the other side. In the Budget it was estimated that the War Office would require £500,000 for the re-construction of barracks, but it was only able during the financial year to spend £325,000, so that there was a saving of £175,000 on that head. The other savings, which hon. Members will be able to trace if they look at the Paper in their hands, scattered over all the various Services, amounted to £821,000, so that the total savings on the total grants were £996,000; and deducting from that the Supplementary Estimates, amounting to £660,000, the saving compared with the Budget Estimate is £336,000. Again, I wish to call the attention of the Committee, as I have done once before, to the remarkably small difference there is in the final Expenditure compared with the Budget Estimate over such a mighty sum as £90,000,000 sterling. If I put the last three years together, on a total Budget Estimate of Expenditure of £264,000,000, the total difference between the Estimate and the Expenditure is only £137,000. There is much that may be said against our fiscal system, and I am not wishing now to claim for the Government or for myself one tittle of credit; but I doubt whether, not only in any State, but in any great financial concern, any similar results could be produced in dealing with that vast number of millions estimated to be spent—results showing so great a control over expenditure and so small a difference at the end of three years. There is only one point more which I will mention in connection with the Expenditure of last year. The £400,000 taken for restoring the gold currency has been, in accordance with the Act of Parliament, invested in Consols. The Proclamation for withdrawing the light gold coin has been issued, and is now in full working order; and though as yet we have

not had a long experience, it appears as if the forecast of the loss on the sovereigns is not likely, on the whole, to be exceeded. I will now pass to what will probably interest the Committee more than the Expenditure. I pass to the Revenue of last year. Here, I think, it will be admitted, when I come to the conclusion of the story I have to tell, that there have been some remarkably close Estimates. I shall point out one or two exceptions, but I do not think they will mar the credit which should attach to those who are primarily responsible for framing the Estimates. The Customs were estimated to produce £19,700,000. The out-turn to the Exchequer was £19,736,000, being £36,000 more than the Estimate. What are called the net receipts were larger—they were £19,838,000. There cannot be exact correspondence between the approximate net receipts and the amount actually paid to the Exchequer, for the net receipts are the actual sums collected all over the country, part of which may be *in transitu* and part in the collectors' hands. I may say, in passing, that it has been a neck-and-neck race all the time between estimate and fact. It appeared sometimes as if the fact would fall short of the Estimate; but after a prolonged race, which I am bound to say filled the breast of the Chancellor of the Exchequer at times with some anxiety, the fact won by £36,000 over the Estimate. My calculation was made generally on the basis of allowing for an increase of 1 per cent. in the population, and 1 per cent. for the three extra days—due to Leap Year and to the fact that the last financial year had the peculiarity of containing no Easter. Therefore, I allowed 2 per cent., and that has been generally borne out in the result, though not, of course, in every detail. Spirits have sometimes been that item of Revenue which has saved the calculations of the Chancellor of the Exchequer, and I have something to say that may not be quite uninteresting to the Committee about spirits. But this year tobacco has been the feature, not alcohol. The Committee will wish that I should pass rapidly over some of the smaller items of Revenue.

The coffee group has produced £331,000, being £2,000 less than the Estimate. There is a further decline in coffee, while cocoa, as usual, has gained to a slight extent. Dried fruit has done well. It has produced £347,000, an excess of £7,000 over the Estimate, and £23,000 over the receipts of the previous year. But that has not been due to the item of currants. They have been rather disappointing, though there has been a very large crop, and the price has fallen so considerably that the consumer has had the full benefit of the reduction that was made in the duty two or three years ago. It is held that currants would have done better but for the strong competition which fresh fruit made last year. Fresh fruit was extremely abundant, and was worked up in various shapes which competed with those articles of children's luxuries in which currants play so large a part. The House will remember the charge that (to adopt a phrase which was made use of at the time) I frittered away £200,000 in reducing the duty on currants from 7s. to 2s. per cwt.; but that reduction has borne good fruit, not only as regards the price of the article, but also as regards our trade with Greece. Though the Revenue last year was not so satisfactory as was anticipated, the importation of currants has increased 25 per cent.—certainly a satisfactory result from the reduction of duty. Comparing 1891 with the average of the three preceding years, we have an increase of 273,000 cwt., or 25 per cent. I only dwell on this small detail, because it shows how a small reduction of duty does tell upon the consumption and stimulate the trade. There are also substantial increases in the imports from Greece of silver ore, olive oil, and some other products; and our exports to Greece show a material increase. I think that is satisfactory evidence of the benefit which has resulted from the reduction of duty. But I pass to other and more substantial sources of Revenue. Tea has been extremely satisfactory. The receipts from tea were £3,424,000, against an Estimate of £3,400,000, and against the previous year's receipts of £3,412,000. But I must inform the Committee that the

result is more satisfactory than it appears, because the receipts of the previous year were swollen by a considerable amount of duty paid at the beginning of the year in respect of tea that had been held back in consequence of the expectation of a reduction in the duty. The amount held back was pretty nearly known, and the real increase for last year is £150,000, which is nearly $4\frac{1}{2}$ per cent. Of that increase 2 per cent. would be due to the increase of population and to there being more days in the year; but the remaining $2\frac{1}{2}$ per cent. is a *bona fide* increase in consumption. I do not mean to say that, apart from fiscal considerations, our satisfaction with regard to the increase on tobacco ought to be so great as our satisfaction as regards tea, but from the fiscal point of view the receipts from tobacco are extremely good. They amounted to £9,952,000 against the estimate of £9,730,000, and against the previous year's receipts of £9,534,000—thus producing £222,000 more than my Estimate, and £418,000 more than the year before. That is, I estimated for an increase of 2 per cent., and, like tea, it has increased nearly $4\frac{1}{2}$ per cent. Hon. Members will remember that it was said that wages had fallen, that there was a certain depression of trade, and that there was gloom in many directions; but in these two items of tea and tobacco, each of which has increased $2\frac{1}{2}$ per cent. clear, after making all deductions, hon. Members will see some reason to hope that wages have not fallen, and that there is still a widely diffused prosperity among the working classes of the country. I do not know whether I may start a theory as to one cause of increase which may not be so satisfactory as an increase of wages. Are our young men taking earlier to smoking? Is there a development of that precocity which we can see in so many directions in the civilisation of the present day—is that development showing itself also in tobacco? I am afraid that many of us in our villages see little urchins becoming taxpayers as regards tobacco at far too early an age. If we remember that in 1890-91 the increase on tobacco was more than 5 per cent. over the year before, the

continued rapidity of growth will appear the more remarkable. The present amount of duty, £9,952,000, is nearly £600,000 higher than the highest point the duty reached before it was lowered a few years ago; so that, after making allowance for the whole loss of £600,000 due to that reduction of the duty, it yields now £1,200,000 more than it did at that time. I now approach with the awe which the subject always inspires in the breast of the Chancellor of the Exchequer the taxes upon alcohol—alcohol, which is so important to the Revenue that about £30,000,000 out of the total £90,000,000 of Revenue is paid by that one article. Let me make this one preliminary observation—that there has not been in the past year that general rush in the country to alcohol which characterised past years. Wine no longer shows that toasting of prosperity to which I have alluded in a former year. It seems that wine is the one article which first begins to feel the effect of commercial depression—I presume because during the times of extensive speculation gentlemen fill their wine cellars in advance, but when the bad times come they hold their hand for some time before they replenish their stores. Brandy and rum have not followed, as they did before, an identical course. The consumption of brandy has increased; that of rum has fallen. Hon. Members may possibly recollect that some time ago all spirits were rising together, and here we see some of the effects of the changing times. Beer has been hanging fire, I do not know quite for what reason, but I compare it with the movement which is taking place in regard to home spirits. The interest of the race of which I have spoken in former years between the various forms of alcohol has ceased. Home spirits have won easily with an increased percentage of $6\frac{1}{2}$. Brandy is a good second with $5\frac{1}{2}$ per cent. increase, but beer has lagged behind, while rum, and wine, and miscellaneous foreign spirits have been entirely driven out of the race. With regard to wine, I estimated £1,332,000, and the receipts were £1,291,000—a decrease of £41,000 as compared with my Estimate, and of £27,000 as compared with the receipts

of the previous year. In foreign spirits there is a decline, for a very obvious reason, and that is through the high price of potatoes which followed upon the famine in Russia. Thus the foreign spirits have been dearer, and have not been able to compete with home spirits. I find that rum has given £2,334,000, which is £36,000 less than my estimate, while brandy, with a receipt of £1,423,000, has given £53,000 more than I estimated. I can give no explanation why brandy has been increasing in consumption, while rum and wine have fallen, except that it is said that the vine-growers in the Charente are getting over the troubles caused by the phylloxera, and are producing a better article. I give that explanation for what it is worth; otherwise I cannot account for the difference. In Geneva and other foreign spirits there was a large falling-off from my estimate, due to the Russian famine as I have pointed out; it is a deficiency of about £84,000. I add some unimportant items in the Customs Revenue—namely, £65,000 for other articles; and I sum up as I began, with regard to Customs, with a total of £19,838,000 net receipts, of which £19,736,000 has been paid into the Exchequer. I now pass to Excise, where I am met at once by British spirits. Here there is a very large increase—an increase of £922,000 over the year before, and of £543,000 over my Estimate;—yet it was thought at the time that the Estimate was somewhat sanguine. British spirits realised £15,693,000. Taking Customs and Excise together, I estimated a total Imperial Revenue from spirits of £19,645,000, an exact increase of 2 per cent. over the year before, and practically it will be seen that the total is £20,121,000—an excess of £476,000, which makes an increase of about $2\frac{1}{2}$ per cent. over and above the 2 per cent., which is an increase due to the normal growth of the population and to the increased number of days in last year. I wish to mention one point more with regard to spirits, because I think it is not uninteresting, and it is that the increase in the consumption of home spirits has taken place to a very much larger extent in England than in Scotland or in Ire-

land. For the calendar year ended 31st December, 1891, the increase in England is 6·53 per cent.; in Scotland 1·62 per cent.; and in Ireland it is only 1·05 per cent. Of course we must make allowance for the fact that the increase in population is not the same in all three parts of the United Kingdom, but still those percentages show that the real increase in the consumption of spirits has been due to the English, and not to the Scotch or Irish consumers. I asked myself whether possibly that may account to a certain extent for the fact that beer has not advanced with home spirits or other forms of alcohol. I wondered whether, owing to climatic or other considerations, possibly more spirits might have been consumed in England in the place of beer. I estimated that beer would give £9,580,000, but it only gave £9,459,000—a decrease of £121,000. It is an increase over the previous year of about £70,000, but that is less than 1 per cent., whereas the increase ought to have been 2 per cent. That concludes what I have to say with regard to alcohol for the past year. The total Revenue was £30,871,000, an increase of £900,000, or 3 per cent., on the year before, and of £314,000, or 1 per cent., on my Budget Estimate; and this latter figure represents the real addition due to increased average consumption. Before passing to the other forms of taxation, I hope the Committee will not think I am detaining them if I give them in conclusion—with regard to these articles of great consumption—the following contrast between what is now consumed per head of the population, and what was consumed per head 50 years ago, because it throws a very considerable light upon the spending powers of the population. In 1841 each individual of the population consumed, on the average, 13 oz. of tobacco in the year; in 1891 they were able to consume close upon 26 oz. each, which is double. Coffee and tea are often contrasted as regards their consumption in Great Britain to the disadvantage of the former, and here is this very curious fact. We are said not to be a coffee-drinking people; but if we look back half a century we shall see we were almost as much a coffee-drinking people then

as we were a tea-drinking people. In 1840 we each consumed 17½ oz. of coffee against 19½ oz. of tea, so that the consumption of coffee at that time was almost as great as the consumption of tea. To-day we only use 12 oz. of coffee for each person against 87 oz. of tea. But the interest is when you put the two articles together. What an increase of comfort do we find ! In 1840 we could only afford 37 oz. of tea and coffee for each person ; whilst at the present day each person uses close upon 100 oz. of the same articles. That means that the great bulk of the population are able now to enjoy these non-alcoholic beverages to the extent of three times what they were able to do 50 years ago. I venture to think that while we survey the state of the Exchequer we also see side lights thrown by these figures upon the prosperity of the people and the comfort of different classes. Again, taking raisins and currants, we could only afford 1½ lbs. weight for each person in the year 1841, while in 1891 each person used very nearly 5 lbs. As regards spirits, they bring in an Imperial Revenue of 19½ millions now, as against 7½ millions half a century ago. But here the increase must not be set down to the increased use of the articles by individuals, as was the case with the non-alcoholic beverages. We used about seven-and-a-half pints of spirits per head in 1841 ; we now use a mere trifle over eight pints, so that the great increase of Revenue is not in consequence of any appreciably greater use of spirits per head ; it is due to the increase of population and higher Excise duties. But while we see that as regards tea and coffee we use 100 oz. compared with 37 oz. used half a century ago, in the case of spirits there is no corresponding increase in the consumption. Surely the reflection is most encouraging to us. Leaving these great articles of consumption and noting that the railway and other small duties gave £560,000 as against £563,000 in the year before, I put the total Excise receipts at £25,610,000, as against my estimate of £25,300,000. I pass now to the subject of the Death Duties, and here, as is well known, I come to one of those sources of Revenue which show a

very considerable increase over the estimate which I submitted for the receipts of last year. The Probate Office was never, I believe, more active than it, unfortunately, was during the months of February and March. The influenza epidemic has told most severely upon the population, and the consequence is a very considerable excess under the head of Probate and of Estate Duty—not so much upon Legacy and Succession Duty, because there the effect generally takes place some months or sometimes even a year later. But as regards Probate Duty the effect is almost instantaneous. Probate Duty, one-half of which goes to the Imperial Exchequer, amounted to £2,808,000, which is £358,000 above my estimate and £395,000 over the receipts of the previous year. Estate Duty amounted to £1,398,000, which was £204,000 over the receipts of the previous year, and £178,000 above my estimate. Legacy and Succession Duty yielded £4,033,000, being £153,000 above my estimate, and £198,000 above the receipts of the previous year. The total of the Death Duties, therefore, was £8,239,000, an increase of £689,000 over my estimates. This general increase was due to a fortuitous circumstance which must modify any estimate ; but, speaking generally, the estimates of the Death Duties have been remarkably regular. I pass now to the General Stamp Duties, which are interesting from the point of view of what I may call commercial activity ; and if the story which I have had to tell with regard to articles of consumption points to the activity and employment of the working classes, so the Stamp Duties seem to afford some clue of what is going on in the City and other departments of business. On stamps there has been a considerable decline. Their total yield of £5,501,000 fell nearly £400,000 short of my estimate. Perhaps the Committee would like to know what light this result throws upon the present state of business. I should like to give just a few of the details to show where the Stamp Revenue has fallen off, because there are very significant facts to be learned from it. The total falling-off as compared with the year before

is £470,000. That fall is mainly due to the transactions, I think I may say, on the Stock Exchange and in Lombard Street. Deeds and instruments, which I presume pass through the hands of lawyers, show a decline; so that the lawyers, in that particular, share to a certain extent in the depression of trade. The fall in stamps on these instruments amounted to £264,000. In stamps on Bonds to bearer there is an extraordinary falling-off. In the last half of 1890 the yield was £163,000, while for the last half of 1891 it was only £85,000; but there was a recovery in the March quarter. Then again in the transfers of Foreign Securities to Bearer—fugitive stamps—there is an immense falling-off. They started at £27,000 in the first quarter of 1890, but fell to £11,000 in the fourth quarter of 1891. Company promoters had a very bad time. I do not know whether they were on strike or whether there has been a lock out, but the amount received in respect of new companies has been extraordinarily small as compared with former years. The amount received for the first quarter of 1890-91 was £89,000, whilst for the quarter ending March, 1892, it was only £33,000. On contract notes there is not the same decline; there is, in fact, a much smaller fall than I anticipated. There is nothing particularly alarming in those facts which I have related with regard to stamps so far. Perhaps the more important question is, Is there a great falling-off in bills of exchange, which represent international business and a great portion of the home trade? I am glad to say there is no such corresponding decline in that item, which represents so much of what I may call the normal business of the country. It has only fallen from £755,000 to £717,000. Let the Committee therefore note this, which is important if we are going to take an estimate of the future: that the decline has mainly been—though we have heard so much about the depression of trade—the decline has mainly been in what may be called City transactions. The usual business of the country has not fallen off to the same extent. The receipts from 1d. stamps on receipts, drafts, &c., have not fallen, but give a small increase of £10,000. In the course of the year the total of stamps has, I have already

said, fallen to the extent of £470,000, as compared with the year before. The Stamp and Death Duties together give a total of £13,740,000 approximate net receipts, of which £13,700,000 have been paid into the Exchequer. This total of £13,740,000 is £326,000 more than last year, and £290,000 more than my estimate. Land Tax and House Duty together have yielded £2,482,000, or £2,000 more than my estimates. Now I come to the Income Tax for the year, that mighty tax which accounts for so large a proportion of our Revenue. I confess that I have had my anxieties with regard to the outcome of that tax, because during a considerable portion of the year I could not see how the increase I had assumed and calculated upon, as compared with last year's Estimates, was going to be realised. But as the time passed by and the end of the year came, I am glad to say that my fiscal hopes were realised to the extent that, while we had estimated for an increase of £500,000, having hoped to get £13,750,000, the ultimate result was receipts of £13,810,000 paid into the Exchequer and £13,843,000 approximate receipts—again a very remarkable piece of estimating. Here I would say that, in the preparation of these Estimates, Sir Algernon West has been my most responsible adviser. He has now placed his resignation in my hands, after a period of service extending over 40 years; and I should not be doing my duty to a very eminent public servant if, in my place in this House, I did not heartily express to him the acknowledgment which I feel, and which I am sure my predecessors feel, for the valuable services he has rendered to successive Governments of this country and to the State. The total of the Inland Revenue net receipts for the year is £55,777,000, showing an excess of £800,000 over the Estimate and £1,940,000 over the receipts of the year before. The amount actually paid over to the Exchequer was not quite so large—£55,604,000, or an increase of £624,000 over the Estimates. I have still to deal with the Non-Tax Revenue. The Post Office and Telegraphs yielded a gross revenue of £12,630,000, which is £30,000 more

than the Estimate. Again, that is a remarkably close Estimate. Crown lands yielded £430,000; interest on advances £222,000; and miscellaneous revenue yielded £2,373,000. The total of non-tax payments into the Exchequer during 1891-2 was £15,655,000 as compared with my estimate of £15,750,000—a decrease of £95,000. I deduct this decrease from the excess of the Customs and Excise, which together is £660,000, and I find that £565,000 has been contributed by the Revenue as a whole to the surplus which I have in hand. The total Estimate of Revenue was £90,430,000, and my Estimate of Expenditure £90,264,000, which left a margin of £166,000. To that I add a saving on Expenditure of £336,000 and the amount by which the Revenue has exceeded the Estimate—namely, £565,000, and I arrive at the realised surplus of £1,067,000. I cannot complete my history of the past year without stating what Expenditure has been incurred under the head of borrowed money in connection with the Naval and Imperial Defence Acts. As the Committee is aware, we have borrowed nothing under the Barracks Act during the last year. In respect of the Imperial Defence Act, we have borrowed £440,000, and under the Naval Defence Act £1,300,000, making altogether £1,740,000, which is the limit of our borrowing during last year. As regards the total borrowed up to date during the last four years, since the Imperial Defence Act was passed we have borrowed in round figures for the Australasian Squadron £800,000; for ports and coaling stations we have borrowed £2,170,000, and under the Naval Defence Act we have borrowed £2,000,000—altogether £4,970,000, or, in round figures, £5,000,000. I do not wish in the present statement to be argumentative to any extent, but I do venture to point out to some of my more ardent critics, who said that millions and millions would be borrowed under these Acts—£20,000,000 was once suggested—that the transaction is one of far smaller dimensions than they could ever have imagined. If they had looked carefully into the matter they would have been differently advised; at all events, Sir,

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the sum of £4,970,000 is the total sum that we have borrowed up to the present. But I will not pass into an argumentative mood, when my intention is to be historical and explanatory. Now, Sir, as regards the Naval Defence Act, on ships built by contract we have spent up to date £6,800,000. We have raised from taxation three instalments of annuity amounting to £1,429,000 each, which together gave £4,300,000, and £500,000 we transferred from the ordinary Estimates for the Dockyard work, which gave £4,800,000. The remainder—namely, £2,000,000—is the total borrowed for contract-built ships. As regards dockyard-built ships we have borrowed nothing. We have spent seven millions on our Dockyard ships and armaments out of the programme of 11½ millions. Towards that not only have we not borrowed anything, but we have raised sufficient Revenue to enable us to transfer £500,000 temporarily from the Dockyards to the contract ships, so that the whole case stands thus—we have spent 14 millions on this Naval Defence Programme, and out of that sum twelve millions have been raised by Revenue, and only £2,000,000 have been borrowed. We shall have to borrow, perhaps, £1,000,000 in the coming year, and the amount borrowed under the Naval Defence Act will then stand at £3,000,000, the highest point, I believe, that will be reached. Well, now, right hon. Gentlemen opposite wish to know what figures I mean to present to the Committee as regards future borrowing. I have asked my right hon. Friends at the Admiralty and the War Office to give me as precise and definite figures as they could. The Admiralty placed certain figures in their Estimates in November last, but the labour troubles which so constantly interfere with the progress of ships that are being built under contract have again prevented the payment of the instalments which were expected to be paid, and now the prospect of utilising as much money as was originally anticipated has declined. Accordingly all we shall require in the coming financial year will be about £900,000 instead of £1,400,000, which at one time was expected. That is under the Naval Defence Act. Under

that part of the Imperial Defence Act which deals with ports and coaling stations we expect to borrow and spend £320,000. Under the Barracks Act we expect to spend £650,000, and this sum we shall borrow, according to the precedent of the Military Forces Localisation Act. The total we may have to borrow will be something under £2,000,000 in the present financial year under all three Acts together. As regards the Naval Defence Act, I have stated to the House the highest point of loans will have been reached. I may now state to the House, as to the expenditure under the Imperial Defence Act upon ports and coaling stations, that the day is not so far distant when we shall have begun to pay off what has been borrowed by the dividends on the Suez Canal Shares. After the 1st July, 1894, that splendid asset of the nation will assume a tangible shape, and the Committee will be interested to know how that asset stands. It cost this country £4,000,000; it has brought in £200,000 or 5 per cent. up to date. The 176,000 shares which belong to the State will from the 1st July, 1894, carry interest and dividends, if the present rate be maintained, to the amount of £625,000; or, if we take the present value of the shares in the market, the value of the asset of these shares will be £19,000,000 sterling on the 1st July, 1894. I envy the Chancellor of the Exchequer on that day if I should not be here. I should envy the Chancellor of the Exchequer, who then will be able to enter this asset not as £4,000,000, where it modestly stands now, but as £19,000,000, and who will be able to say that he has reduced the national liabilities by no less a sum than £15,000,000 sterling. I should like to do it now. I should like to anticipate some right hon. Gentleman perhaps on the other side of the House, but I am too modest to make this entry at the present moment. I hope the right hon. Gentleman opposite will not think I am wrong in placing before the country the existence of this valuable asset, which, if it were realised, would far more than cover all the loans under the Imperial Defence Act, the Naval Defence Act, and the Barracks Act. This one asset would pay for the whole of these.

I must ask the Committee now to follow me for a few moments into what is always considered the driest part of the Budget Statement—namely, as regards the Debt. Approaching the question of the Debt, I think the Committee would like to know exactly how we stand; and, in the first place, how we stand as regards winding up the Conversion operation, which has left, to a certain extent, a legacy of Floating Debt. I had first of all to meet an expenditure amounting to £3,052,000, due in part to our having to pay a fifth dividend, and in part due to the payment of a bonus of 5s. to the holders of a portion of the Consols, and to commission and Bank remuneration. That was a sum of £3,052,000. Then I had to pay off in cash £24,378,000 to holders of Consols who did not convert. Thus I had to find cash amounting to £27,430,000. I charged against Revenue £2,052,000; I took out of balances £1,837,000, and I borrowed £23,541,000. Of the sum borrowed £4,711,000 has been repaid, leaving £18,830,000 outstanding. Of that sum, however, the State owes to the public only £5,830,000. The National Debt Commissioners have assisted me to an extent of £13,000,000, and therefore £5,830,000 only remains owing to the public. But out of this sum £530,000 represents Consols, leaving £5,300,000 as the real increase of Floating Debt in the hands of the public due to Conversion operations. I will say a word or two presently upon that sum of £13,000,000 owing to the National Debt Commissioners, as I have a proposal to submit with regard to it; but now I must pass from the subject of conversion to the question of the general Debt. The reduction of capital liabilities under the heads, “Funded Debt,” “Terminable Annuities,” and “Unfunded Debt,” has been £6,463,000, the respective reductions being £1,527,000, £4,109,000, and £827,000. As regards other liabilities, the Imperial Defence Loan annuity has been reduced by £57,000, so that I should show a diminution of our gross national liabilities under these heads of £6,520,000. But owing to the Conversion operations there is an increase of nominal liability to the

Savings Banks of £1,000,000. This increased liability I have to deduct from my diminution of liabilities, and the diminution therefore stands at £5,520,000. But there is a decrease of assets amounting to £73,000, and of balances amounting to £116,000—about £190,000 in all—so that the net reduction of capital liabilities, counting balances, is £5,330,000. Out of the taxation of the country we have devoted during the past year £7,400,000 to the reduction of Debt. I need say nothing more to the Committee on the reduction of the Terminable Annuities and the Funded Debt, but I should like to say one word more upon the subject of the amount of the Unfunded Debt. The total Unfunded Debt has decreased by £827,000, the figures being £35,313,000 as against £36,140,000 on the 31st March last year. Out of this sum of £35,313,000 there is due to the National Debt Commissioners £18,323,000, and the amount in the hands of the public is £16,990,000. Last year the total amount of Floating Debt in the hands of the public was £22,239,000. As on the 1st April this year the amount stood at £16,990,000, there has been a diminution of £5,249,000. I would call attention to the various forms in which the Floating Debt is in the hands of the public. On 31st March, 1887—that is, before the Conversion brought its attendant increase of the Floating Debt—the amount of Treasury Bills in the hands of the public stood at £8,681,000, and I have reduced it to £8,350,000, so that there are now fewer Treasury Bills in the market than before the Conversion operations took place. The reduction in respect of Exchequer Bills has been from £5,061,000 to £3,340,000. But, on the other hand, there are Exchequer Bonds—a new security—in the hands of the public to the amount of £5,300,000. The total increase of Floating Debt in the hands of the public, comparing the present time with the year 1887, is only £3,248,000, and this notwithstanding the payment in cash of £24,000,000 of the Funded Debt and all the borrowing under the Defence Acts. I will now state what we owe to the National Debt Commissioners. The total amount they hold on short securities is £18,323,000. They have

provided me with £13,000,000 of this amount for the purpose of carrying out the Conversion scheme, and with regard to that sum I intend to follow the precedent set by the right hon. Gentleman the Member for Midlothian when—I think it was in the year 1863 or 1864—he converted 24 millions of securities belonging to the Savings Banks into a permanent Book Debt. I propose to turn the floating securities now held by the National Debt Commissioners in connection with the Conversion operations into a Book Debt, or, as the right hon. Gentleman called it, “a passive charge,” carrying, of course, $2\frac{1}{2}$ per cent. interest. That will not only simplify the general transactions between the State and the National Debt Commissioners, but will render the accounts more intelligible. There is another fact concerning the Unfunded Debt to which I must allude. During the past year the average rate of interest at which we borrowed money on Treasury Bills was considerably less than we pay on Consols—namely, £2 9s. 6d. I have only one more announcement to make on the subject of the National Debt to the Committee. It is this: I have been able to come to an agreement with the authorities of the Bank of England with regard to the remuneration of that establishment and the interest on its Book Debt of £11,000,000, by which a saving of about £50,000 a year will accrue to the State. It is a considerable sum, and it will go, not in diminution of Estimates, but to increasing the new Sinking Fund. The Book Debt will bear $2\frac{1}{2}$ per cent. interest instead of 3 per cent., and other arrangements will be made reducing the remuneration for the management of the Debt, and securing other advantages to the Exchequer. I am confident that, when I submit my proposals to the House, it will be seen that I have carefully safeguarded the interests of the State, while fixing on equitable terms the remuneration of that great institution, the Bank of England, to which at all times in our financial history we have owed so much. I shall take the earliest opportunity to submit a Bill to the House to carry out this matter. One word more as regards the past year, and I shall then be free to approach the

consideration of the figures of the present financial year. Those Members of the Committee who take an interest in the ratepayers' point of view and in the share which Local Authorities derive from Imperial finance would like to know how these Local Authorities have fared during the past year; and perhaps they will have thought, when they heard of the increase in the Probate Duty, that the result to the Local Authorities would not be unfavourable. The figures are as follows:—They will receive in the present financial year £2,808,000 from Probate Duty; £1,400,000 from beer and spirits; £3,390,000 from licences—a total of £7,598,000; and if you add the special contribution to Ireland of £40,000, you find a total relief of rather more than £7,600,000. I hope I have not been led away by the interest with which the history of the past financial year has inspired me personally to detain the Committee longer than I probably should have done upon matters which I venture to think are of considerable financial and national importance. I feel relieved at coming to the second and more important part of my task—namely, the forecast for the future of my Expenditure and my Revenue at a time which I think all will admit to be one of considerable importance, looking to the doubt which exists with regard to the continuance of our commercial and manufacturing prosperity. The Committee is acquainted through the Estimates which have been laid on the Table with the total requirements for the Supply Services, including the Scotch and Irish Equivalent Grants. The amount is £61,941,000. The Committee are further acquainted with the recurring items under the Consolidated Fund Service—£25,000,000 within the fixed charge; £200,000 outside the fixed charge. Then there is the Naval Defence Fund, £1,429,000, and the other Consolidated Fund Services, £1,683,000. That will bring the total of the Consolidated Fund Services to £28,312,000. Adding the total Supply Services, the total estimated Expenditure is £90,253,000. Curiously enough, though I shall show in a moment that it is only a coincidence, and that the amount is differently con-

stituted, this sum is almost identical with the Budget provision of 1891-92, which was £90,264,000. But in order to place a fair Estimate before the Committee, I have to take into account the additional cash receipts which are now appropriated in aid of Votes, and which, of course, I ought to add to my Expenditure, in order to show a fair comparison with the Expenditure of last year. These cash receipts were £925,000, which, if treated as they were last year, and paid directly into the Exchequer, would have swollen the Expenditure. If I add that sum to the £90,253,000, it brings up the total Estimate to £91,178,000, an increase of £914,000 over last year. That will not be the Budget Estimate for this year, but that is a comparison which I think it right to make with the Expenditure of last year. I would say at this point that while we (so to speak) gain £925,000 on the Expenditure, we do not lose the whole of that amount on miscellaneous Revenue, because the system has been this—that the receipts of one quarter are not paid over till the next quarter, so that we lose only three-quarters of that amount of miscellaneous Revenue, the loss being a little under £700,000. Now I would analyse very briefly the increase of £914,000 in the Expenditure. Under the Civil Services there is an increase for Assisted Education of £1,477,000. Here I am met, of course, with this large increase over last year, when we only had to provide £900,000. This year we have to meet a full year, and not only a full year as originally estimated, but a full year with those additions to the charge which were introduced into the Bill in the course of its passage through Committee. Knowing the uncertainty of Revenue, I took care last year not so to dispose of the surplus as to have to find the whole of that increased charge this year by means of increased Revenue; and I have to the good £500,000 provided for barracks last year; and £400,000 for gold coinage, which gives £900,000 charged last year upon Revenue, but which will now be dropped. I am relieved by these items, so that I have only £577,000 as the increase I really have to find as

regards assisted education. But the ordinary Estimates for Education continue to rise, and they account for another £233,000. There are other services for which increased provision has to be made—Miscellaneous Consolidated Fund Services, £18,000; Army and Navy, £111,000; Miscellaneous Services, Customs and Inland Revenue, £86,000, all not very heavy increases in one year. Lastly, but certainly not least, there is a tremendous increase in the Postal Services of £611,000. That is balanced to a certain extent, of course, by increased Revenue; but the increased Revenue does not make up for that enormous increase. These items together amount to a total of £1,636,000. On the other hand, I have some advantages. We have paid for Irish railways so far out of Revenue. We took £600,000, which we were going to pay in cash out of Revenue. Of that £600,000 we have spent £510,000, and the remaining £90,000 we shall spend this year. But last year we spent a great deal more than £90,000 out of cash, and so this year I have less to provide for Irish railways by £355,000. For the remainder we shall borrow money on Terminable Annuities, as provided for by the Act of last Session. This is a modification of the principle introduced by the Act of 1883, from which we inherit a portion of the sums we apply to Irish railways. I have £130,000 less to provide for Census expenses; and, owing to the administrative vigour of my right hon. Friend the President of the Board of Agriculture as regards pleuro-pneumonia, it has been possible to take this year £70,000 less for that Estimate. There is less for Scotch and Irish relief by £85,000, and on sundries £82,000, so that I am relieved of £722,000 to set against the £1,636,000, giving a net increase of £914,000. I trust that the Committee will see that in these increases there is nothing wasteful. The increase is not in the Army and Navy Estimates, nor the Civil Service Estimates generally, and not in the civil government of the country. Where is it? It is in two directions, both of which will commend themselves to the House. It is in the

direction of education and of the Postal Services of the country. Education and the Postal Services account for an increase of £2,000,000 in the Expenditure of this year. As for free education (in which I include, for the sake of brevity, the Scotch and Irish Equivalent Grants), my last year's estimate of the additional cost was £1,100,000; but the additions made to the Bill in its passage through the House have raised the amount to £1,420,000. And it is not only free education, but education all round which, to the satisfaction of the country, but of course somewhat to the despair of the Exchequer, continues to swell our Estimates; for, as I mentioned, there is a further increase of almost £250,000 on the ordinary Estimates for education. The Post Office increase is £611,000, of which £490,000 is due to the increase of salaries and wages, including increase of establishments. That is how our Estimates are swollen; and, while the Government have been anxious to meet the fair and equitable claims of those who are employed in those services, we have endeavoured to deal with the subject at the same time in a spirit of proper economy. As regards the telegraph service, one observation I would commend to some of the postal reformers. The average profit on every £1 of telegraph receipts during the last five years has been 3d. The expenses have been 19s. 9d., and the profit 3d. But during the five years from 1880-81 to 1884-85 the expenses swallowed only 18s. 6d., and the profits were 1s. 6d. There is already a deficit of some £90,000 on the net telegraph revenue for last year, and of some £60,000 expected for this year. In fact, we have now come down to this: that the increase of telegraphic communication and the further facilities as to addresses, so eagerly pressed by postal reformers, must all be given at the expense of the general taxpayer. The increase of postal revenue, which may be called £350,000, is far more than balanced by the increase of the expenses, and the margin of revenue for the Exchequer is rapidly being diminished. One figure more about the Estimates of Expenditure, and that is that the total amount now spent on elementary education

amounts to £8,000,000. That is a large item which no one will grudge; but when we talk about our expanding Expenditure, it must be remembered that it is not an expenditure due to extravagance, but to the appreciation by Parliament and the country of the expanding wants of the children of the country. I come now to the Revenue with which we propose to meet the Expenditure. And, first, this year will be a peculiar year. Last year we had no Easter, and we had Leap Year. This year, of course, we lose Leap Year, and we have an Easter; and we have half of another Easter, because Good Friday in this financial year will fall on the 31st March, a most inconvenient and despairing day for Revenue purposes. Let me put this point to the Committee. We may calculate on an increase of one per cent. due to the normal increase in the population, and we ought to take off one per cent. for the loss of those days, which I count as equivalent to three days for Revenue purposes. It has been estimated by careful observers that we ought to take off £900,000 from the Revenue for the loss of those three days, but I think they have made two mistakes. They have taken that loss on the whole of the Revenue, whereas it is not the whole, but, roughly speaking, only two-thirds of the Revenue which is affected by the longer or shorter number of days in the year, and they do not allow for the normal increase of population. These two items will balance themselves. We must count upon the normal progress of the population as one per cent., and allow one per cent. for the loss of the three days. I start with the view that we must compare with last year without any addition for increase of population, and without any deduction for the loss of the number of days—the two factors mutually correspond. I think the Committee will agree that, looking to the general situation, the framing of the Estimates for the present year is a matter surrounded with considerable difficulties. The Bankers' Clearing House Returns for 1891 have been very unsatisfactory—they are not only less than 1890, but they are less than 1888—a significant symptom. The exports, again, have

fallen. Many hon. Members in this House will know to what extent trade profits have fallen. I believe there are many painful experiences on that subject. On the other hand, Railway Returns are not unsatisfactory. There was an increase in the Railway Returns as regards passengers, parcels, goods, live stock—in fact upon every head. Their expenditure, however, was higher, and consequently their net profits were not greater; but in their gross receipts under every head there was progress. I have shown that the consumption by the people of duty-paying articles during the past year has been at an increased rate, but that is not enough for the Committee to know. The Committee will want to know whether that increase took place during the commencement or the second part of the year. Has it been declining during the year or not? I am happy to say the second part has not fallen off as compared with the first part. I am told that in the manufacturing districts the banking transactions have not been unsatisfactory; and, looking at the situation as carefully as I can, I see ground for caution, but I see no ground for alarm. I have examined some most interesting diagrams to see in what order the articles of consumption began to fall off in a former period of declining prosperity, and I find this—wine and spirits are the first to fall, tobacco holds out longer than spirits, and tea has never materially gone back. The working man it seems, if his wages should diminish, first reduces the amount of his beer and spirits, he clings longer to his tobacco, and as regards the tea for himself and his family, he does not reduce it at all. That is an interesting social fact which I believe to be absolutely proved by the statistics which I have carefully considered. We had a great time of prosperity in 1874 and again in 1890. We must study the events which followed 1874 to see on what articles we must expect a fall in consumption if we are really entering upon the descending curve after 1890. In 1875, I think it was, the Clearing House Returns began to fall as in 1891. Probably the highest point of prosperity we have ever reached

was in 1874, and not long after there was a rapid decline. No great article of consumption showed an immediate decline, but rum topped first with extraordinary rapidity in 1876; wine and brandy followed in 1877, and descended a precipitous curve, full three years after the Clearing House Returns had begun to fall, and after the commercial and manufacturing world had entered upon a period of gloom. But the non-alcoholic beverages, such as tea, steadily progressed with hardly a check. Tobacco, too, continued to rise, up to and during 1877, and though it descended during 1878 and 1879, this may be chiefly attributed to the increase of duty made in the former year. Not only this, but there is an enormous difference in the amount of the fall. Tobacco only fell six per cent. altogether, while wine and rum fell 36 per cent., and brandy 51 per cent. The Committee will see the bearing of this upon the Estimates of the present year. Taking the Customs Revenue first, I put the coffee group at £330,000, or £1,000 less than last year, and dried fruits at £350,000, or £3,000 more than last year. Wine I put at £1,270,000, or £21,000 less than last year. When I come to foreign spirits—rum, brandy, and Geneva alike—I estimate for a decline, and I put the total at £4,350,000, or £78,000 less than last year. As regards tea, the article which I have shown does not decline, even if wages fall off, I put the total at £3,470,000, an increase of £46,000, or one-and-a-half per cent. I will not allow, because I wish to be cautious, for progress at the same rate as last year, but I believe that tea will follow the same upward course as heretofore. As regards tobacco, I have shown that it is not one of the sensitive articles—it is not an article which begins early to fall. Except tea, it is the least sensitive of all the articles on the list. Looking to the fact that for the last 30 years there has never been a fall in tobacco except in 1878 (when the duty was raised), and then only to a small extent, and looking to the percentage of increase, which after making every allowance for increase of population and extra days was two-and-a-half per cent. during the last financial

year and five per cent. in the year before, I believe we are justified in assuming a further increase not at the same rate, but still some increase, and I put tobacco at £10,065,000, or £113,000 over the receipts of the past year. That is only one per cent. instead of the more rapid increase which has hitherto taken place. Other articles I put at £65,000, the same as last year. The total Estimate for Customs receipts is therefore £19,900,000, or £164,000 more than the Exchequer receipts of last year, and £62,000 more than the approximate net receipts. I pass to the Excise. Disappointed in beer during the past year, I feel bound to allow for some decrease in that item, which I set at £9,400,000—£59,000 less than last year's receipts. On British spirits I have more to say. I approach them with considerable caution. I put them at £15,500,000, or £193,000 less than last year's receipts, but in reality I allow for a much larger fall in their consumption, owing to a small administrative change on which I will detain the Committee for a few minutes. I have endeavoured to put a stop—and have put a stop in fact—to a system called "grogging," by which the Revenue is supposed to have lost some £200,000 a year. We have stopped the practice, and so we gain to that extent. The practice consisted in extracting spirit which had been absorbed by casks after those casks had left the bonded warehouse. It is a very interesting process. By filling those casks with water and letting the water stand for a certain time, the spirit left in the cask was drawn out by the water with which it became fused, and so an alcoholic liquid was produced on which no duty had been paid, and which was used for mixing with other spirits. In this manner it is calculated that a puncheon which had held 100 gallons of spirit yielded, through the process of "grogging," one and a-half, and sometimes as much as three, gallons of proof spirit. The Committee, therefore, will see that, as a member of the trade put it to me, this was a system of legalised smuggling. Over and over again these imbibing casks might pass out of the warehouse, carrying away gallons of spirits on which no duty had been paid, absorbed

in their wooden sides and to be extracted afterwards by "grogging." They went in and out just as ladies used to pass in and out of the country with lace hidden under their petticoats. I say nothing with regard to the practice, because it was not illegal, but it did put some traders who did not practise "grogging" on an unfair footing as compared with those who resorted to this method. We have now taken steps to prevent those casks from leaving the warehouse except under proper supervision, and we have taken the trade into council on the subject. There have been some complaints, but I believe there will not be much friction, as everybody will now be on an entirely fair footing, one as regards the other, and the Revenue will gain the pleasant sum of £200,000 a year. I may calculate, then, on an increase of £200,000 a year from this source, but as I am anxious with regard to the fiscal future of spirits, I have put the decrease at £193,000 as compared with last year's receipts; and, therefore, with the explanations I have made, it will be seen that the actual diminution in my Estimate as compared with last year is £393,000—£200,000 for "grogging," besides the £193,000. There are some small items which I pass over—chicory and coffee, labels, licences, and Railway Duty. These I put at £552,000, £8,000 less than last year. The total Excise I put at £25,452,000, or less by £260,000 than last year. I now pass to the Death Duties. I shall not, of course, allow in this coming year for the same amount of Death Duty as in last year, as that owing to the influenza. I take £208,000 from the Probate Duty, putting it at £2,600,000, and £98,000 from the Estate Duty, putting it at £1,300,000; but, on the other hand, there is some compensation in Legacy and Succession Duty, which have not yet felt the full effect of the wills that have recently been proved, and for those increases I put £140,000 to Legacy Duty, making it £3,000,000, and £87,000 to the Succession Duty, making it £1,260,000. Upon the Death Duties as a whole I expect to lose £79,000. I again allow for a decline on general stamps, and reduce last year's Revenue by £101,000, putting them at £5,400,000. I am

bound to say I consider that an extremely prudent Estimate, for during the last few weeks there has been distinctly a revival in some of the important sources of stamps. On the other hand, there is a possibility that in the general transactions there may be a decline, and that bills of exchange and other documents which are stamped, which have hitherto not yet felt the full fall, may continue to show some falling-off. I shall be prudent in this, as in my other Estimates. The total for stamps, including the Death Duties, I put at £13,560,000, a decrease of £180,000. House Tax and Land Tax I put at £2,450,000, a decrease of £32,000 as compared with last year. There remains under the head of Inland Revenue one great item on which I have still to speak—perhaps it is the most important of all. I have to tell the Committee how I propose to deal with the Income Tax, because it is upon the Income Tax that some persons may think great uncertainty might arise. If I were to judge simply by the statistical Returns, by the gossip of the City, by complaints, in Lancashire, or by the position of Yorkshire; and if I were to listen to, and the Committee were to be influenced by, the general feeling, they might come to the conclusion that there would be a very large gap in the Income Tax Returns of the year. I do not say there ought not to be such a gap, but we must look a little to the details as regards Income Tax, and what we have to ask ourselves is this—what are the proportions in which different classes contribute to the Income Tax, and what are the constituent factors of that tax? And again we have to inquire not only what might be the profits of 1891 assessed to Income Tax under Schedule D, but how the average of the profits will have to be calculated, because that is most important. Let me deal with the first of these two questions. The Committee must not forget that while, on the one hand, we are naturally influenced by the more striking industries of the country, while we see the great cotton industry, or the great coal industry, or generally the great manufacturing or productive industries

of the country, yet apart from these there is a mighty trade going on; there is wealth being rolled up like a veritable river of Pactolus—wealth of which no published statistics exist, but which is, nevertheless, accumulating and adding to the wealth of the country. There is the great retail trade which permeates every village of the country—the great home trade which does not always strike our attention so much as the more important and visible trades—we have to bear that in mind. Our imaginations are so stirred by the sight of some industries which stand before us in all the activity of their enormous proportions, that we forget a great many of the constituent parts of our business community. I am not going to be so indiscreet as to place before the Committee figures as to the aggregate profits of the various trades and professions; but I have examined some of their relative proportions, and they are most interesting. These I think I may put before the Committee without indiscretion. I find this—it is astonishing how many quiet callings keep up the average, and how large a proportion is contributed under Schedule D by persons and professions who do not figure as bloated monopolists or rich men in the ordinary acceptance of the word, but who, nevertheless, have earnings which are very material to the general prosperity of the State. Take the cotton manufacture and productive industry, including spinning and weaving; the total profit of those engaged in that vast industry—I am not speaking of wages, but of profits—the total profit of the cotton lords and the cotton companies is less than the aggregate profit made by the medical profession. If I look at the profits of the coal mines—notwithstanding the enormous fortunes made therein—the Committee may be surprised to learn that the total profit from coal mines is less than the profits of the legal profession. The lawyer in his quiet office and the physician in his sombre consulting room are rolling up taxable material almost at the same pace—at a faster pace—than those engaged in the great industries I have named; and it appears to me that it is the ubiquity and steadiness of these professions

which compensate for the lower scale on which their profits may be earned. Again, it is easy to leave out of account the immense profits of the distributors of the manufacturing and productive industries. If I take the total of these latter industries, including cotton, wool, silk, ready-made clothing, metals, and hardware of all kinds, shipbuilding, sugar refining, tanning, chemicals, brewing, distilling, and so forth; if I take the whole of these industries, which together cover so vast an area of our national prosperity, the profits only amount to one-half of the profits which fall under the head of distribution and transport. That is to say, that those who distribute and transport merchandise and the products of industry make, on the whole, twice as much profit as the manufacturers and producers of the articles. Of course, I must remind the Committee and the public that I am not alluding to the cost of manufacture or to wages, but dealing exclusively with profits assessed under Schedule D. I thought it my duty to go into these details and see what constituted the vast wealth of this country, and find out, in view of possible adverse times, who it is that keep up that steady flow of profit on which so largely the material prosperity of this country depends. One more illustration of this and I have done. The profits, if they may be called so, or rather the salaries, of employees of every kind, which are assessed under Schedule E and part of Schedule D, form an immense total, far beyond what the public would imagine, and a period of depression may easily pass without diminishing to any extent the productiveness of those heads. There are 350,000 employees assessed to Income Tax under these two Schedules; their aggregate salaries amount to £50,000,000 sterling. Reductions of establishment no doubt occur in bad times, but I doubt whether they more than counterbalance that constant tendency to increase salaries which is the general rule. I believe on no occasion has it been found that there was any backward movement under Schedule E. Now, Mr. Courtney, I pass to the other point I have mentioned—namely, the industries themselves under

Schedule D. We have not only to look to 1891, but we have to see what year it replaces in the three or five years' average on which the profits are estimated. In commerce and manufactures the average is three years, and in the case of mines five years. Well, then, 1891 was a most unsatisfactory year in the City as compared with its predecessor. But it takes the place not of 1890 but of 1888 in commercial and industrial profits, and of 1886 in mining profits. The Committee will see that we must not be guided entirely by the impressions derived from 1891. As regards mining profits, 1891 does not show such phenomenal profits as 1890, but its profits are far beyond those of 1886. Thus, though 1891 shows a large decline as compared with 1890, the profits assessable to Income Tax for the coming year will be greater, because, though 1891 comes in, it replaces a year which was worse than itself. As regards iron and steel, those industries were far less profitable than in 1890, but far more profitable than in 1888; and so on these industries, too, there is an increase. The case is otherwise in the great Lancashire industry. Here 1891, speaking broadly, is much worse than 1888, and the average has to be put down. For wool, jute, silk, and other industries, 1891 was a distinctly worse year than 1888, and there is, therefore, a worse average to go on. But I must not survey any more of these great industries. I have gone through most of them in order to be able to form a reasonable estimate for the assessment of the Income Tax for the coming year; and, on a general review of the whole case, I am advised that the actual average of the three preceding years, upon which profits under Schedule D will be mainly assessed, will not fall very much below that on which the Income Tax was based last year. Some decline there may be; in some cases there is increase, and in some decrease; but, on the whole, I am informed—and this is confirmed by my own examination—that there is scarcely any serious decrease in the assessment of profits. Looking at all these considerations, I ask myself if I should be justified in putting down the Income Tax for the present finan-

cial year as likely to give the same amount as in the last financial year. I am distinctly of opinion that it would not be safe for me to assume the same amount. I have given many reasons on the one side and some on the other. I do not know that I should make much allowance for the following reason, but I am told it is one which should inspire caution. There is a tendency which is said to be implanted in human nature that when profits are bad, and are lower than the average profits of the three preceding years, there is not in the breast of the taxpayer such absolute impartiality in settling accounts between the Exchequer and himself as there may be under more normal circumstances; that a man's inclination on these occasions is to settle doubts in his own favour; that men are more ready to be generous in their estimate of what they ought to pay when they are making higher profits than the average. Then there is another consideration which inspires caution, and that is the point I have already mentioned—namely, that Good Friday is the last day of the financial year. I hope and believe that most taxpayers will wish to clear their minds and consciences by paying the last demands of the Income Tax collector before they go for their Easter holiday. But the last days of the year are very important, and it is possible, on account of the last day being Good Friday, we shall have to carry over more arrears into the next financial year. Looking into the whole case, I feel compelled largely to diminish my estimate of the Income Tax, and I put it at £13,400,000, or £443,000 less than the approximate receipts of last year. The total Inland Revenue I put down at £54,862,000, a decrease of £915,000 as compared with the approximate net receipts of last year, and of £742,000 as compared with the Exchequer receipts of last year. With regard to Non-Tax Revenue, I put the Post Office at £10,400,000, or £250,000 more than last year; telegraphs, £2,560,000, or £80,000 more than last year; Crown lands, £435,000; interest on advances, £220,000; miscellaneous receipts, £2,100,000. The last item I have to reduce by £700,000, owing to a transfer of receipts which I mentioned before;

but, on the other hand, there have to be added several windfalls which accrue this year. The total Non-Tax Revenue is £15,715,000, to which I add the proceeds of taxes, £74,762,000, and I arrive at a total Revenue of £90,477,000. I deduct my Expenditure of £90,253,000, and I arrive at a margin of £224,000, a sufficient margin to make me think I am fortunate in not having to impose taxation, but unfortunate in that it will not place me in a position of being able to make any remission. The Committee will kindly bear in mind that last year and this year the sum—including the Scotch and Irish Grants—of £2,500,000 has been given for assisted education. This outlay has, of course, rendered it difficult to make any prominent reduction of taxation to any other class of the community; but, so far as the recipients of that boon are concerned, it is almost equal to, and is, in fact, a more palpable advantage than, any reduction of indirect taxes. With a margin of only £224,000 at my disposal, it would be unwise, especially looking at the circumstances of the time, to attempt any re-construction of our finances. There are two minor changes, however, which I shall propose to the Committee. The Committee will remember that my right hon. Friend the President of the Board of Trade informed the House of his wish to see the heavy fees charged for the renewal of patents reduced in the interests of the poorer patentees, and with the view of giving the fullest scope to the development of inventions, and small as my margin is, this is a reform which the Government do not wish to delay, and which they think they can afford. The primary fee of £4 for the first four years will remain, and from the end of the fourth year onwards large reductions will take place. At present the fees for the next four years are £10 a year; they will be reduced to £5, £6, £7, and £8 in the several years. In the ninth and tenth years the fee is £15, and it will be reduced to £9 and £10. In the next four years, the last before the patent expires, the fee is £20 a year; it will be reduced to £11, £12, £13, and £14. These reductions will, I believe, give extreme satisfaction to a very large class. They will ultimately

involve a loss of £50,000 a year, but we should not ask that the new scale should come into operation before the 25th September, and on that period the loss would be £24,000 or £25,000, which will reduce my margin to £200,000. The other minor change I propose will not affect the Revenue—it is in connection with the tax on sparkling wines. Hon. Members may be aware that great pressure has been put on me to change the system on which that duty is levied. At present it is 2s. 6d. per gallon on wines above the value of 30s., and 1s. per gallon for wines below that value. I understand that even the importers of cheap wines themselves would prefer to pay a higher duty rather than go through what they declare to be an impediment to business—the discussions with the Customs as to the value of their wines. I have thought the friction has been exaggerated, and that, as a matter of fact, it would only arise in the case of that small portion of wines imported at the border line; and I may point out that the experiment of two rates of duty varying with value has not failed in respect of the continuance of the proportion of wine of higher quality to the lower quality. The champagnes above the value of 30s., which constituted two-thirds before the tax was imposed, still constitute substantially the same proportion; there has been no fraud, and the Customs have been extremely watchful. I prefer, I admit, the duty as assessed at the present moment; but if there is, as I am informed, considerable unanimity on the part of the trade in favour of a uniform scale I do not wish to be obstinate, and I shall be prepared to submit a Resolution that the duty be 2s. 1d. round instead of 2s. 6d. and 1s. as at present. This will give a small addition to the Revenue. I do not do it with that object, but I am not prepared under present circumstances to have any loss whatever fall on the Exchequer by any change in the Wine Duties. Before I part with the Wine Duties let me note one point—it is not entirely of a fiscal nature and does not affect the present Budget immediately. The right hon. Gentleman opposite will remember the Spanish Treaty we

made in 1886. The duty was then reduced in favour of the Spaniards, with a result which, I believe, has been beneficial to both nations. Spain improved its tariff in favour of this country and we improved our alcoholic scale in favour of Spain. Now, the Spaniards have denounced the Treaty which we obtained by the concessions we made in 1886. All I wish to say on the point is this—that there must not be the impression, either in Spain or elsewhere, that if the concessions which were given to this country in 1886 should be withdrawn, it will be certain that they will retain the fiscal advantages that were given with regard to their wines in 1886. There are strong fiscal reasons why we should put the higher duty on wine of alcoholic strength between 26 and 30 degrees. I do not propose this in the Budget, because I do not wish to force the hand, so to speak, prematurely of our Spanish friends, or put the wine trade into the excitement there would be if we were to impose a scale now which would not come into force for some months, because we could not change our duty before the end of June. But I think it is right, in the most friendly spirit, to say that if the concessions given for a certain *quid pro quo* are withdrawn, this country will have an open hand with regard to withdrawing the advantages given before. I sincerely trust that these negotiations may come to a satisfactory termination as regards both countries. Now, Mr. Courtney, I have finished my annual discourse. I hope that there may have been some interest in what I have had to tell; because, as I have said, there are many side lights thrown by these fiscal results on the habits and consuming powers of the people. I have had no startling facts to tell; I have had no surprises to reveal. Prudence seems to me to demand moderate Estimates, and I hope the Committee will think I have framed these Estimates with such prudence as was justified by the fiscal situation. I trust that when next year I stand at this Table—(Ministerial cheers, and counter Opposition cheers and laughter)—I do not say on which side—(laughter)—for, on whichever side of the Table I stand, I shall be responsible

for the prudence of the Estimates—I hope when I stand at the Table next year these Estimates may prove to have been justified by the facts. The mighty river of our national prosperity, though it may not have been overflowing its banks, though it may have been running on at a more sluggish pace, still remains broad and full; and I trust that all the various watersheds of our national well-being may still continue to pour out their thousand streams with undiminished volume into a grand and mighty flood.

TEA.

Motion made, and Question proposed,

“That, towards raising the Supply granted to Her Majesty, the Duties of Customs now chargeable on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and ninety-two, until the first day of August, one thousand eight hundred and ninety-three, on the importation thereof into Great Britain or Ireland (that is to say) on—

Tea . . . the pound . . . Four Pence.”—
(*The Chancellor of the Exchequer.*)

MR. W. E. GLADSTONE (Edinburgh, Midlothian): The Chancellor of the Exchequer has not yet acquainted us on what day he will ask the House to go into Committee for the purpose of considering the nature of the proposals he has made. I, of course, cannot undertake to control the discretion of individual Members, but the ancient practice of this House has been to refrain from detailed discussion of the finances of the country on the evening the Budget was proposed; and to that custom it is my intention to adhere on the present occasion. But I hope the Chancellor of the Exchequer will give us a proper and convenient opportunity shortly after the Recess of making such observations as his very interesting and comprehensive statement would appear to call for. If that old custom was justified in the circumstances of the country 20 or even 10 years ago, most certainly the reasons in its favour are fortified by the changes that have since taken place in our arrangements with regard to many portions of our system of finance. The right hon. Gentleman, who has had a serious task before him this evening, must be sensible that a greater degree of complication has been introduced into

that system in consequence of much that has taken place in recent legislation; and the bearing of these changes on one another has to be carefully considered by the House, independently of the fact that it is far more difficult now than it would have been in previous times for Members to draw their knowledge of the subject entirely from the speech of the right hon. Gentleman. The right hon. Gentleman has entered into a very interesting statement with respect to the basis on which he has framed his Estimates of the coming Revenue from various branches of taxation in Customs and Excise, and from the various schedules of the Income Tax. I do not think that I have ever known that particular department of the statement of the Finance Minister so much expanded as it has been on this occasion by the right hon. Gentleman. Undoubtedly it was not too much expanded for the interest of the House, which was entirely sustained, and would have been sustained probably even if the right hon. Gentleman had entered into still further details. And when I speak of the complicated statement, I do not in the slightest degree intend to convey that that complication was due to any want of care or accuracy or lucidity on the part of the right hon. Gentleman himself. But the facts and materials of the statement have been greatly enlarged, and the opportunity of considering them is one that ought to be carefully made use of. I am not quite certain whether I entirely understood what was said by the right hon. Gentleman at the close of his speech with regard to the Wine Duties. I understood him to say that a change was to take place at once with regard to sparkling wines which was to have no effect on the Revenue, but if it did have an effect it would rather be in its favour. The effect of this change would justify particular notice. After describing the change he meditates in the duty on sparkling wines the right hon. Gentleman proceeded to refer more generally and vaguely to some other changes in the Wine Duties, and to the possibility of a connection between the change in the Wine Duty and the communications

that have taken place, or that may take place, with Spain, as to certain proceedings adopted by Spain in regard to its commercial relations with this country. It would not be right for me to touch on this subject, and even if I did attempt to touch upon it I should be likely to do more harm than good. I shall wait until there is a fuller exposition of the views of the right hon. Gentleman, which we may probably have on a future occasion; and all I will do now is to express the hope that in making any of these changes in the Wine Duty he will not confine his consideration to the effects of what may take place in Spain, but will also take into view any consequences that may be produced in other countries with which our commercial relations are in some cases still more extended. In the present state of opinion and sentiment on the Continent of Europe, with regard to questions of protection and freedom of trade, it is evident that the greatest caution ought to be observed in any measures of the British Government which may possibly cause any alarm amongst those interests abroad to whose improved and more enlightened opinions we have chiefly to trust—I do not say for preventing the introduction of changes in foreign countries in the wrong direction, but, at all events, for confining those changes within narrow limits, and for promoting, on the whole, an enlightened policy. The right hon. Gentleman said one word in the course of his speech which I am very desirous to echo. It was prudent as well as generous on the part of the right hon. Gentleman to refer to the services of the Chairman of the Board of Inland Revenue, who has just retired. For 20 years I have enjoyed the intimate friendship of that distinguished gentleman. For the larger part of these 20 years I have been in close personal or official relations with him. I have had ample opportunity of estimating the justice of the right hon. Gentleman's appreciation of his services, and I can thoroughly concur in the expression which he has used. I am only sorry that those services are brought to their public or official termination. I hope that the vigour which my hon.

Friend the late Chairman of the Board of Inland Revenue has applied to the discharge of his official duties at Somerset House may remain available for the service of the country in some useful and valuable capacity. It is the great happiness of this country—a happiness in which I will not say it exceeds all other countries, but certainly a happiness in which it is very remarkable—that we have so many public servants possessed of great ability and unsparing diligence, and even an enthusiasm for the public welfare. I do not believe there has been any occasion on which it was more warrantable and becoming to record the fact that we have enjoyed in the person of the late Chairman of the Board of Inland Revenue the services of a public officer who was alike able, upright, and indefatigable in promoting every interest connected with this gigantic Department.

(7.15.) MR. PICTON (Leicester): The right hon. Gentleman says the money devoted to elementary education now amounts to £8,000,000. That is a sum in which we ought to take pride. At the same time I think we ought to take warning from the growth even of the most beneficent expenditure. It is an expenditure for the advance of civilisation, but if it grows at the present rate we shall have to reduce the expenditure on war, or the country cannot bear the cost.

*(7.17.) MR. BARTLEY: Considering that one-third of our taxation is now derived from alcoholic liquors—the great staple drink of the people—the incidence of taxation on the working classes is calculated to be in excess of what it ought to be. I hope the Chancellor of the Exchequer will arrange that there shall be some definite systematic investigation, so as to put the whole subject of taxation upon a fairer basis. Another question to which I desire to call attention is the subject of the Income Tax. The Chancellor of the Exchequer made the very remarkable statement that £50,000,000 income was distributed over 350,000 persons. This fact he said showed the enormous growth of this branch of our income. This £50,000,000, distributed over these 350,000 persons, represented incomes averaging only £130 each.

The enormous development of the Income Tax was a result of the increase in the number of those at the bottom of the scale coming into the Income Tax category, and that fact required very careful consideration with regard to the fiscal burdens of the people.

MR. GOSCHEN: They do not pay on £130.

*MR. BARTLEY: I know there is a deduction of £120, but still the fact remains that the enormous proportion of the Income Tax payers are those who pay on incomes below £200 under Schedule D. There is no doubt that more than half the payers in that Schedule pay on incomes of an average of £3 a week. Of course they get a small rebate, but the burden of the tax upon the trading community is very great. I am glad that a larger number of persons are coming into the Income Tax class, but it shows that the time has come when we should make a difference between the rate of payment on the incomes of those who earn it by their labour, as compared with those whose incomes are on accumulations. There ought to be two different Schedules. I go so far as to believe in the French system, under which industrial incomes are not taxed. I believe that would be a wise step in this country. It would add to the amount of taxation upon the richer class, and put it upon the spontaneous income from past savings. I hope some complete change will be made in our system of levying Income Tax, enlarging the payment of those who have large incomes derived without industry. Although a graduated system of Income Tax could not be introduced, still we might do something to relieve those who make their incomes by their industry. I hope next year the Chancellor of the Exchequer will have a more successful Budget, and be able to take this subject into consideration.

(7.25.) MAJOR RASCH (Essex, S.E.): As a humble agricultural Member, and not a financial expert, I wish to say that although we are very grateful to the Chancellor of the Exchequer for the reduction he has made in local taxation, yet I regret he has not been able

to go further. We in the Eastern Counties are working out a precarious existence, as land is going out of cultivation owing to foreign competition and the incidence of local taxation. I should like to indicate two methods by which you might relieve local taxation without putting a heavy burden on any other class of the community, and that is by taxing British wines, and by putting a tax on transfers of shares, to show the amount of money which actually passed on the completed transaction. I am sure the right hon. Gentleman will remember that gratitude in agricultural industry, as in others, is only in anticipation of favours to come.

MR. BRUNNER (Cheshire, Northwich): I wish to ask the right hon. Gentleman when the arrangement as to new patents will come into operation?

MR. S. BUXTON (Tower Hamlets, Poplar): Do I understand the right hon. Gentleman to say that the whole of the year's extra receipts have gone in the reduction of gross expenditure?

(7.28.) MR. SHAW LEFEVRE (Bradford, Central): Will the right hon. Gentleman lay on the Table before we come to the consideration of the Budget a tabulated statement showing the receipts and expenditure of the Post Office during the last ten years? Although a portion of this Revenue has been spent on increased postal facilities, on improvements of the Public Service, and on important additions to salaries, still there is a large surplus, much larger than was the case six years ago, when the right hon. Gentleman came into office. The surplus Revenue in 1885 was £3,119,000; in 1886 it was £3,008,000; whereas so far as I can make it out for the past year it was £3,316,000, after considerably increasing the salaries; and in the present year it will be £3,420,000. There has already been improvement, but there is room for more, and I think the surplus Revenue might be still further utilised. What I have to ask is, will the right hon. Gentleman give a tabulated statement showing for the last few years the surplus Revenue in each year, so that we may have the actual figures and be enabled to make comparisons?

(7.30.) MR. BIGWOOD (Middlesex, Brentford): I should like to ask

the Chancellor of the Exchequer whether, finding that his Revenue has increased by so large an amount, he will be inclined to entertain a proposal which I shall make later on when the Budget is discussed, for reducing the cost in some degree, or bringing some funds to the assistance of the County of Middlesex, who are paying so much more for their police than is the case in any other county in England. Having such a large sum at his disposal in the shape of the windfall to which he has referred, I hope he will be generously inclined.

(7.31.) SIR J. LUBBOCK (London University): There is one other question to which, perhaps, the Chancellor of the Exchequer will give an answer when he replies. In his interesting and lucid statement he has not said whether the amount put at the disposal of the County Council by the Wine and Spirit Duties will be retained. Several County Councils are about to hold their meetings, and will, no doubt, be glad to know whether any change is proposed. I presume that such is not the case, but perhaps the right hon. Gentleman will say a word on the subject.

(7.32.) MR. GOSCHEN: In reference to the remarks of my right hon. Friend the Member for Bradford (Mr. Shaw Lefevre), I find his own Return gives the best statistics on the subject of the Post Office that can be procured, and all I say is that the statement shall be brought up to date as far as possible. That would show the right hon. Gentleman what he desires; but, if not, I will give him the figures in manuscript. With reference to the increase in the Post Office Revenue, I think the figures he has dealt with only touch Post Office Revenue and Expenditure, without taking into consideration sites and buildings, and I may remind the right hon. Gentleman that sites are a large amount.

MR. SHAW LEFEVRE: The sites are provided out of the Post Office grant, and the buildings out of another fund.

*MR. GOSCHEN: Speaking from memory, I can assure the right hon. Gentleman that the Revenue of the Post Office will be £200,000 less than it was in the previous year because of the increased expenditure. With re-

spect to the point raised by the right hon. Gentleman the Member for London University, I know of no change proposed in the allocation of the Wine and Spirit Duties. I think it is highly desirable that the County Council should devote that money to the purposes of technical education; but that is a matter which is entirely in the discretion of the Council, and I do not propose to legislate on that point. The matter for the present will remain precisely where it now stands. With respect to the question of the hon. Member for Poplar, I think I stated clearly that in the present year the whole of the cash receipts appropriated in aid of Votes are not lost to the Miscellaneous Revenue, owing to the fact that the receipts for each quarter are paid in after the end of the quarter. It is the case that, by a statistical coincidence, the amount of a quarter's receipts is about the same as the amount of my margin; but I must tell the hon. Gentleman that the change to which he referred was made long before the Estimates arrived at such a point that I was able to foresee what the final balance would be. With reference to the remarks of the hon. Member for North Islington, it is a large scheme that he suggests, and I admit that no subject is more interesting than the general question of the incidence of taxation. The reconstruction of the Income Tax, which I know is an ideal of the hon. Member's, is a work of the most stupendous character, and it is certainly not a task to be taken up at the close of a Parliament. I was asked a question with respect to patents, and what was meant was that new patents taken out after the 25th September should enjoy the diminution in fees. It is now under consideration whether the diminution can be made in the case of those taken out before that day, and I shall be prepared to make a statement later on. I have now only to thank the Committee for the words they have used with respect to the statement of the Budget. Of course, we perfectly recognise that it is impossible to discuss the very large issues which are involved without full time being given to hon. Members to study the proposals when they appear in printed

form. I have had a conference with the First Lord of the Treasury, and I think it is possible that the first Thursday after we meet again may be set aside for the further discussion of the Budget proposals. However, I will consider that point with the Leader of the House, and will make a communication on the subject to right hon. Gentlemen and hon. Gentlemen who are interested in the matter. With respect to the Wine Duties, I do not think the right hon. Gentleman the Member for Midlothian (Mr. Gladstone) would wish me to enlarge upon that point at present; but I will not forget the recommendations which he has made, nor have they been absent from our minds during the preparation of our proposals. I will take into consideration the other points that have been mentioned to me; and I would suggest that we should now take the Resolution with regard to sparkling wines, as that is a definite change on a definite date. I would also suggest that the Resolutions dealing with Tea and Income Tax should be put off till the Thursday after the Easter holidays at all events.

Motion, by leave, withdrawn.

Resolved, That, instead of the Duty on Wine imposed by "The Customs (Wine Duty) Act, 1888," there shall be charged and paid the Duty following (that is to say):—

Sparkling Wine imported in bottle . the gallon . two shillings.

This Duty is to be paid in addition to the Duty in respect of alcoholic strength payable under "The Customs Amendment Act, 1886," and without reduction.—(*The Chancellor of the Exchequer.*)

Resolution to be reported To-morrow, at Two of the clock.

Committee to sit again upon Monday 25th April.

SMALL AGRICULTURAL HOLDINGS BILL.—(No. 183.)

COMMITTEE. [Progress 8th April.]

Considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed, in page 1, line 10, after the last word "Act," to insert the words "lease, hire, or."—(*Mr. T. E. Ellis.*)

Question proposed, "That those words be there inserted."

(7.43.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): When the Committee adjourned the other night I was explaining that I was willing in Sub-section 2 of Clause 3—I was prepared—to accept the Amendment which stands on the Paper in the name of the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre). This Amendment would omit from the clause the words:—"But will be so able, if they are permitted, to occupy small holdings in the first instance as tenants." There are several reasons which I have already given why it is desirable, on the whole, to maintain as the first principle of this Bill that the new holders shall acquire their holdings by purchase rather than as tenants. There are three parties to be considered—the owners of the land, the new holders, and the ratepayers and the interests they represent. As regards the owners of the land, I may say at once that I see no objection whatever to the Local Authority acquiring land from them by hire as well as by purchase. They would have ample security, and I should not be disposed to interfere with what they might voluntarily wish to do. Then with respect to the new holders, again I see no objection—provided they have not the means of acquiring the land by purchase—I see no objection to their obtaining it by hire, subject to those reservations which I have already stated, and if they can find the money which will convert them into freeholders that they shall do so. But when I come to the third party, the ratepayers and the interests they represent, there are more serious considerations which deserve the attention of the Committee. In the first place, if the new holder is to be a tenant, the Local Authority loses at once the security of the deposit which is to be paid down in the first instance, and that is a condition to which I attach very considerable importance. This is probably the best security contained in the Bill. In the second place, if the new holders are merely tenants, it is obvious to the Committee

that the Local Authorities will be converted into landlords, and I have very grave doubts whether they are best fitted to occupy such a position. The holdings will either be held upon lease or upon yearly tenure—

THE CHAIRMAN (Mr. COURTNEY, Cornwall, Bodmin): Order, order! The right hon. Gentleman is now discussing Clause 3, which is not before the Committee, and if we continue the discussion in this way we shall get into considerable confusion. The question now is the acquisition of the land by purchase.

MR. CHAPLIN: I was endeavouring to explain the grounds upon which I am prepared to make certain concessions, but if you rule it to be out of order I bow entirely to your decision. Perhaps it was premature on my part to make the announcement, but I desired to facilitate the discussion. With respect to the Amendment which is actually before us, I do not propose to accept it for the reasons I have stated. I wish the general principle to be maintained that the Bill is one for the creation of small holders who shall be purchasers rather than tenants, and perhaps I have said enough to induce the Committee to agree with me to retain that part of the clause in its present form.

(7.49.) MR. W. E. GLADSTONE (Edinburgh, Midlothian): I see the difficulty of reconciling the forms of the Committee with the purpose of the right hon. Gentleman, and it is only fair to him that I should also acknowledge that I perfectly understand his purpose. I would suggest that the right hon. Gentleman should place upon the Paper the proposal as it will stand amended according to his views, and put it down for discussion, and we shall then see whether it falls short of the views entertained on this side of the House. That will be better than making an arrangement beforehand, and it will give us an opportunity of discussing the matter fully in its proper place.

(7.50.) MR. CHAPLIN: I think the purpose will be attained by the omission of certain words in Clause 3, and that it will not require any words to be inserted.

(7.51.) MR. SHAW LEFEVRE (Bradford, Central): I understood the right hon. Gentleman to say that he was prepared to accede to the proposition that the Local Authority should have power in future to hire land on a long lease as well as to buy it out. I rather gathered from him, by his using the word "feu" that he intended that the Local Authority should have the power of taking perpetuity leases, paying the rent in the nature of a rent-charge upon the land. I should be glad if the right hon. Gentleman would explain what it is that he really intends in that respect.

(7.51.) MR. CHAPLIN: What I intended to convey was that under the clause as it stands now the Local Authorities have the power of acquiring land by "feu"—that is, by the payment of a perpetual rent-charge—under the Lands Clauses Consolidation Act, 1844, Section 10, I think—I am speaking from memory. I cannot doubt, that being the effect of the Bill as it stands now, that no alteration in the Bill would be required for the purpose of getting rid of one of the main objections taken by the right hon. Gentleman the Member for Midlothian, namely, that for the purpose of additional purchase the Local Authority would be compelled to borrow and pay down a capital sum; the effect of the Bill being that they can acquire land by the payment of a perpetual rent-charge instead of by the payment of a capital sum. That objection is therefore removed, and it is unnecessary, so far as I know, to alter the Bill in any respect at all. I am unable to accept the Amendment for the reason I have already stated, and which I shall be able to enter on more fully when we come to Clause 3.

(7.54.) MR. T. E. ELLIS (Merionethshire): I am sure hon. Members on both sides of the House must be gratified with the right hon. Gentleman's declaration that he will vary and multiply the forms and methods of letting land to labourers and others. That I consider a concession of very great value and importance; but I should like to urge upon the right hon. Gentleman whether, in the interests of the working of the Bill, it would not be well to go one step further? The

right hon. Gentleman must recognise, more especially after the rejection of the Amendment on Friday with regard to compulsion, that there are still difficulties, and great difficulties, in the way of any appreciable increase in the number of small holdings. The right hon. Gentleman would find that County Councils, with a choice of methods, would be able, in many localities, to make comparatively favourable terms with landowners, by which a farm, for example, that became vacant, could be taken on a long lease, and could then be let out in small agricultural tenancies varying, say, from 3 to 50 acres, thus carrying out the object at which the right hon. Gentleman is ultimately aiming—namely, the increase of small holdings. I rather agree with some of my hon. Friends on this side that the increase of small holders would be very much promoted by increasing in the first place the numbers having an interest in the soil—by having small tenants. These small tenancies being largely increased, there would be a desire on the part of the tenants of these holdings to acquire the land on some more permanent basis. I hope the right hon. Gentleman will give us a promise that he will accept this Amendment, or some Amendment drafted on the same lines.

*(7.58.) MR. SEALE-HAYNE (Devon, Ashburton): It seems to me that the County Councils might be very unwilling to run the risk of raising money for the purposes of land speculation, though they might be willing to hire estates for a term of years. I sincerely trust that the right hon. Gentleman will make a concession in the direction of this Amendment. I think the landlords might be very willing, especially at the present time, to let their estates to the County Councils at an easy rental, that land might be cut up into small holdings, and let again to small holders at an easy rent, and this tentative proceeding would be entirely in accordance with principles which the right hon. Gentleman laid down when he introduced this Bill.

(7.59.) COMMANDER BETHELI (York, E.R., Holderness): At first I was inclined to support this Amend-

ment, but I am bound to say that I have come round to the opinion of the right hon. Gentleman. In discussing this Amendment I think we may put aside entirely the question of future tenancies. It does not affect them one way or the other. I would be disposed to say that under the circumstances it would be better for the County Councils to acquire the fee-simple of the land outright. I do not see that land-owners would be more likely to let land on lease than to part with it in fee-simple. There is one class of land-owner, no doubt, which would be prepared to lease land—the owner of limited estates; but these are the exception. I think hon. Gentlemen opposite have failed to make out a sufficiently strong case to induce the right hon. Gentleman to accept this Amendment. As I have said, I had been originally in favour of the Amendment, but I have come to the conclusion that the right hon. Gentleman is right, and if hon. Gentlemen go to a Division I shall support the right hon. Gentleman in opposing the Amendment.

(8.5.) MR. ESSLEMONT (Aberdeen, E.): I take this opportunity of saying that the right hon. Gentleman has made a concession in regard to feuing or quit rent-charge which is sufficient for the purpose of my Amendment; and therefore it will not be necessary, for my part, to move the Amendment standing in my name. In regard to the present Amendment before the Committee I cannot help thinking that there is some confusion in the minds of hon. Members. We are not dealing now with the question as to how the County Councils are to let or hire land to those who apply to them. It seems to me there is all the difference in the world between the two Amendments, and they do not appear to me to have any connection whatever. I am rather surprised, after all that has taken place in regard to the position of leaseholders, that the right hon. Gentleman should be asked to re-introduce the system into this Bill. I want my hon. Friends to consider what difficulties will arise when the leases come to an end; and when you begin to deal with the proprietors respecting the improvements

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that have been made upon these holdings, I regret to say that I should have to go into a different Lobby, should this Amendment be pressed to a Division, from many hon. Members on this side. I shall support the right hon. Gentleman and the Government in leaving out leaseholders. As regards County Councils, I think it would be objectionable in the last degree that the County Council, after a term of 30 years, or any other number of years, should have to enter into a controversy with the proprietor of the ground as to the conditions on which a lease was to be renewed, or the purchase of the fee-simple effected. In Scotland for many years we have been seeking for fixity of tenure, and now, if we are to abolish that fixity of tenure, it will be impossible for the holders to hold their own with the proprietors. I think, therefore, it would be very much more useful to remove the difficulties which exist in regard to the sale of estates. If a remedy is to be applied, I think it ought to be by so altering the law as to render it permissible under any circumstances for a person in this country to sell any estate under an Act of Parliament. If tenants are to put up their own buildings there would be enormous difficulties as to compensation for improvements when the leases fell in. I shall support the Government against the Amendment of my hon. Friend. The true remedy is to make it non-permissible to sell any estate bought under the Bill. If a quit rent were provided for, the landlord would be able to retain his sense of proprietorship in the land.

*(8.15.) MR. WINTERBOTHAM (Gloucester, Cirencester): The whole question is whether you will bind the hands of the County Council by shutting them out from one particular method of acquiring land for the use of smaller tenants. It is difficult to argue this question and yet to keep within the bounds of the ruling which has just been laid down. What we want is small quantities of land, say up to 10 acres, at a fair rent for the labouring classes. The greater the variety of tenure introduced into the Bill the greater will be the facilities for the County Council to provide

small holdings for labourers. It has been said very truly that there is a good deal of sentiment connected with the ownership of land. There are many owners who, I am sure, will be very much more willing to let to the County Council any vacant land on fair terms than to sell one farm, or a part of a farm, out of their estates. I am not dealing now with the curmudgeon—the unreasonable landlord—I do not want to use strong language—but with the philanthropic, good landlord—and there are many of that description—who may be unwilling to sell a part of an estate which has been in his family for years. Besides, the landowner may reasonably hold the view that the experiment may not answer, for it is an experiment after all. He may say to the County Council, “Here is a farm of 50, or 60, or 100 acres. If the villagers in the neighbourhood of it come to you and wish to take it in small holdings, I am willing to let you have it for 20 years at a moderate rental, and at the end of that time it shall be valued. If it is then found to have deteriorated you shall pay me for the extent to which it has deteriorated, but if it has been improved, and I decide not to renew the lease on the old terms, I will pay for any improvements that have been made upon it.” I think that in that way we are much more likely to obtain land in many villages of England than by being confined to buying it. Then, again, I hardly think the hon. Gentleman opposite appreciates the number of men who have mortgages and life charges on their land, who may be willing to let it, but not to let the public know the extent to which it is encumbered by attempting to sell it. There is also the important question of law costs in connection with the purchase of the land to be considered. I will now call the attention of the right hon. Gentleman to the advice given by one of his most powerful colleagues in this House. In a speech on this subject, delivered on 25th January, 1885, the right hon. Gentleman the Member for West Birmingham used these words:—

“You cannot expect every landlord to do what should be done. It is not every one who has the capital to make the experiment. Well, then, they must give place to those who have. That is why I am anxious to call in the Local Authority of every district, and to give them power to take land with this object.”

He goes on to say:—

“I do not think that the Local Authorities will go too fast in this matter, or that they will be likely to incur risk to any considerable extent; but I think that the experiments should be made in many districts, and under very many conditions.”

Now, this is one of the most important Amendments to the Bill, and what the Government are really saying in refusing to accept it is this: “We do not trust the County Councils sufficiently to let them take farms on lease to supply the requirements of the labourers.” Compulsion has been, unfortunately, ruled out of the Bill, and the leasing advocated in the Amendment is a voluntary and not a compulsory one. By tying their hands in this manner the Government is preventing this Bill from being used by the County Council in the one way in which labourers want it to be used.

*(8.23.) MR. CHANNING (Northampton, E.): I would point out that now that compulsion has been struck out of the Bill there will be a very large number of persons who will be unable to obtain land under it. Attention has frequently been called to the fact that land is wanted locally, in parishes scattered about the country, rather than in large blocks. I know it is perfectly possible for the County Council in the part of the country with which I am acquainted to obtain farms in the neighbourhood of towns and villages if they had the power to hire them for short periods. Therefore, I hope that the right hon. Gentleman the Minister for Agriculture will see his way to accept the Amendment which has been placed on the Paper. It is essentially a practical Amendment, and it would assist the right hon. Gentleman to meet the vast and increasing demand for land in this country.

(8.25.) MR. WHITBREAD (Bedford): I would venture very respectfully to suggest to the right hon. Gentleman the desirability of considering

whether, with regard to land where no buildings would be required, a system of leasing might not possibly be adopted. Where buildings will be required I see the difficulty as regards the proprietor at the expiration of the lease. Are you going to compel him to take over at the valuation houses and buildings in the construction of which he has not had any voice? It is because the Bill contemplates such a widely different object that this difficulty arises. I do not know whether the right hon. Gentleman will consider the suggestion; but it seems to me that the plan might answer well enough for large allotments, in preference to small holdings. As to the word "feus," I do not quite understand what the meaning of it is; I believe it is a perpetual rent, and I hope we shall not put the landlord in the position of being the receiver of a perpetual rent.

MR. CHAPLIN: It is voluntary.

MR. WHITBREAD: Yes, but I think it would be a bad tenure; in fact, I cannot imagine a worse tenure than for a man to draw a perpetual rent, he being at the same time divorced from all connection with the tenants, having no responsibility for improvements, discharging no duties, and being, as it were, a mere parasite eating up the value of the land. Whether it is voluntary or not, I sincerely hope that a large number of landlords will not be found willing to put themselves in that position.

(9.5.) MR. CORNWALLIS (Maidstone): Hon. Members who have moved and supported this Amendment have not, in my opinion, followed it out to its legitimate conclusion. If the County Councils have either the power to lease or hire land for the purposes of this Bill, and if they do lease a farm from a landowner, they have power to re-let it, they will be only able either to lease it or to let it on a yearly tenancy. The effect of that will be that they will become nothing more or less than landowners, which, from a County Council point of view, I would very much deprecate. I will not go into the evils of this system, because it

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is not necessary to do so, and they are generally admitted on both sides of the House. But there is another point we might bear in mind as well. Supposing the County Council lease a farm of 100 or 120 acres and divide it into small holdings of a lesser quantity; and supposing the tenant of one of those plots dies and they are unable to find another tenant, the County Council must be placed in a very ridiculous position, because, having taken a lease from the landowner, the County Council cannot expect the landowner to take the ground back again before the expiration of the lease. And in that way not only shall we have the County Council resolving itself into a landowner, but into a farmer as well, and that last-named alternative is even more to be deprecated than the other. And not only would the County Council become a farmer, but it would become the farmer of the very worst part of the farm. More than that, they could not expect any cottar, in one of these small holdings to erect any buildings whatever on the land taken from the County Council when he would have no security whatever for the capital he has laid out, and which would probably be his whole available capital. The value of his own labour diminishes every year as he grows older, and therefore a small holder would be very unwilling to take a small holding on a farm leased by the County Council. I hope the right hon. Gentleman the Minister for Agriculture will not in any way accept this Amendment which has been proposed. I believe it will not only not advance the prospects of the Bill, but that it will land us in a course of procedure which would be very dangerous and unacceptable to County Councils.

(9.10.) MR. SHAW LEFEVRE (Bradford, Central): I have previously endeavoured to elicit from the right hon. Gentleman what his intentions really were when he proposes to give the Local Authorities power to lease land; whether it is to be a perpetuity lease or a lease for a short period. I did not then express any opinion on the subject, and I should, therefore,

like to express my view now. The Amendment is a very wide one, applicable to all holdings, and apparently contemplates the possibility of Local Authorities hiring land for a short period, and then letting it out in large quantities, and I am obliged, therefore, to vote with the Government on the matter. I agree that Local Authorities should be empowered to let for short terms, but there should be behind that the possibility of the tenants being converted into perpetuity owners, either leasehold or freehold, and if that possibility were not open, I think that a great deal of the advantage which might be derived under the Bill might be lost. I understand that it is the sense of perpetuity of tenure which the right hon. Gentleman desires to encourage, and it is most desirable; but if the Local Authority leased land for 21 years, and let it out in lots of from one to 20 or 30 acres, it would be impossible for the tenants to erect buildings, and they would lose all sense of ownership. If the proposal were confined to small holdings it might be another matter, but to extend it to all holdings would not be a desirable course, and, therefore, I cannot support the Amendment.

(9.13.)* **SIR W. FOSTER (Derby, Ilkeston): My right hon. Friend objects to the Amendment because it extends to large holdings, and, therefore, he would preclude its application to the smaller holdings. I think the most important part of the Bill is that which proposes to extend the Allotment Acts, and give to industrious and hard-working labourers, who have shown their skill on one acre, the opportunity to get possession of larger pieces of land up to ten acres, and I hope even beyond that limit. It is for their benefit that I want these leasing powers; to them it would be invaluable. We can understand the County Council buying land and cutting it up into large holdings and small ownerships, but we want them to go further in order to give that ladder to the labourers which the Select Committee intended, by which they might rise from one acre plots to larger holdings, and, finally, become the possessors of small

holdings themselves. I take it that the prime object of the Bill is to prevent the depopulation of rural districts, but why should we restrict the County Councils in carrying out that object? They are to create small yeomen, but I would beg the right hon. Gentleman not to put obstacles in the way of the creation of hired holdings up to ten acres, which I believe could be better done under the leasehold system than under the purchase system. Land acquired by purchase would probably be of a higher price, and could not be let to pay in one or two acre lots, whereas land acquired on lease could probably be let out at £1, £1 10s, or £2 an acre. We do not want the system of small holdings to be confined to remote rural districts. Outside many of the small boroughs which came under the Bill, of 20,000 or 25,000 inhabitants, where land is of considerable value in view of prospective building, it would be out of the power of the County Council to purchase, as the land would be too dear. But they might be trusted to lease 100 or more acres, and let it in ten, 20, or 30 acre lots. During the period of the lease the tenants would have security of tenure, and would use the land not only to their own advantage, but also to the advantage of the town to which they were contiguous. We want that kind of tenant in the neighbourhood of small towns. I think the Bill would be better if we extended its provisions so as to trust the County Councils to do what is best in the circumstances of each case. No County Council is likely to use the Bill for a wasteful or injurious purpose. We can trust them to take advantage of the purchasing clauses, and of leasing clauses, if inserted, and in that way to do the greatest amount of good to the greatest number of people in the district.

(9.18.) **MR. BARCLAY** (Forfarshire): I am surprised that my hon. Friend should propose to perpetuate the system of land tenure which has broken down in Ireland, and is breaking down in Scotland and England. It would be objectionable for the County Council to take land for a limited period, and also for them to let it for a limited period. I am entirely in favour of the County Council disposing of the

land on a perpetual tenure, which would induce the agricultural labourer to make the most of the land, which he would not do if he knew the landlord would retake possession at the end of 21 years. I hope the Government will not give any countenance to the proposal to take land on lease. It would be all very well for the County Council to let by the year land which they cannot sell or let on perpetual tenure. Some provision should be made for this, but it should only apply to such land as I have indicated. The labourer will only settle himself down to improve the land and make the most of it if he has it on perpetual lease or in fee-simple.

(9.20.) DR. FARQUHARSON (Aberdeenshire, W.): I agree with a good deal that the hon. Member for Forfarshire has just said, but I cannot go quite so far as he did. I have not been able to find out exactly what the tenants are to gain by this Amendment. A perpetual tenure is the only inducement for an agricultural labourer to put his money, enterprise, and labour into the soil. Under the Amendment he only changes a private landlord—who may be good, and generally is good—for a corporate body, which is the worst kind of landlord possible, because they have to make their profit out of the land, and have no bowels of compassion; they are harsh and very often cruel, living as they do at a distance. If you are going to bring the people back to the soil, and make it worth their while to put their energy into the land, you can only do it by giving them some idea of fixity of tenure, so that everything they put into the soil will come back to them, and that there will be no possibility of their being turned out, or of the rent being raised on their own improvements.

(9.24.) MR. CHAPLIN: I appeal to the Committee and to the hon. Member whether the time has not come when we can go to a Division on the Amendment, if it is intended to press it to a Division? I think I have shown that I have not been unwilling or backward in trying to meet the views of hon. Members. I quite admit that more than one argu-

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ment has been advanced from that side which is deserving of consideration. It has been suggested that the Amendment might be made to apply to those cases where no buildings are required. It is also suggested that it might apply to cases where the landlord might agree to let land for a period, but might be unwilling to sell. On these two points I am quite willing, without committing myself to any pledge, to consider the question when we arrive at the point where I think they ought to be inserted, in Clause 3. I shall then have an opportunity of explaining to the Committee the great objections I have to making the Local Authorities great landlords.

*MR. F. S. STEVENSON (Suffolk, Eye): The right hon. Gentleman proposes to deal with the question on Clause 3. That clause deals not with the relations of the County Council and the persons from whom the land is to be obtained, but with the relations of the County Council and the persons by whom the land is to be obtained. I do not wish to anticipate the discussion on that clause, but I would submit these points to the right hon. Gentleman. He said that one of his reasons for objecting to this Amendment is that it is possible for the County Council to feu land under the Bill. Perhaps it would be more satisfactory if the Attorney General would tell us that it is possible under Clause 1 for the County Council to feu land. I would also point out that this Amendment does not propose to introduce the leasing tenure as an alternative proposal, it only proposes that in certain cases in which it is impossible for land to be bought by the County Council, the system of leasing should be adopted. It is an unsatisfactory and inferior mode of obtaining land, but in certain cases, and especially on the outskirts of small towns where it is impossible for land to be got on any other system, it might be adopted. As compulsory has been left out, I think the Amendment should be adopted to meet such cases as those I have referred to.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I can only say what my right hon. Friend has said, which I believe would be accepted by any lawyer. Under Sub-section 1 of Clause 2, in which the Lands Clauses Acts are incorporated, and the amending Acts of 1863 and 1864, land can be purchased and acquired under a perpetual rent charge, and there is not the slightest doubt that under the Bill as it stands these Authorities can buy land and sell it under a perpetual rent charge.

MR. WHITBREAD: I hope the right hon. Gentleman will give us an assurance that, in the event of the Amendment being withdrawn, the question can be again raised on another clause.

(9.31.) MR. JESSE COLLINGS (Birmingham, Bordesley): This Amendment simply refers to the method in which the County Councils shall acquire land. I cannot see the advantage of the County Council hiring land, because the rent would be much the same as the interest on the purchase money they would have to pay in acquiring it. This opens up a large number of difficult questions, such as the question of buildings. The County Council cannot put up buildings on land simply acquired under lease. The only case in which County Councils should be permitted to hire land would be in the vicinity of large towns, where the land was absolutely too high for anyone to purchase for agricultural purposes. I have put an Amendment down to Clause 3 to carry out that object. I think in such cases it would be an advantage if County Councils were allowed to hire land either on lease or in any other way in lieu of purchase. I hope the Amendment will not be pressed to a Division, or, if pressed, that it will not be carried.

*(9.35.) MR. WINTERBOTHAM: (Gloucester, Cirencester): I would join in the appeal to my hon. Friend to withdraw his Amendment, on the understanding that the assurance asked for by the hon. Member for

Bedford will be given by the right hon. Gentleman. I think the Minister for Agriculture has intimated clearly enough that he is willing to consider the matter. I think it is a fair compromise. My hon. Friend the Member for Bedford has shown that there are cases in which the powers of the County Council to hire land may be very useful. The compromise sketched by the right hon. Gentleman, as I understand it, is this: that it must be land where there are no buildings; land which is practically limited to Sub-section 2 of Clause 3; land for letting in lots of not more than ten acres. I think, in these circumstances, we might very well be saved a Division, and I appeal to my hon. Friend to withdraw his Amendment.

(9.37.) MR. SEALE - HAYNE (Devon, Ashburton): I am afraid the subject could not appropriately be raised on Clause 3.

(9.38.) MR. CHAPLIN: I think I can give that assurance. It is in Clause 3, in the first instance, that letting under any circumstances is provided for. The questions that have been raised by the hon. Member for Bedford and other hon. Members are questions as to limitations in the power of letting. The Amendment of the hon. Member for the Bordesley Division raises the question of the power of the Local Authority to take land on lease. It is perfectly clear, I think, that these questions can be raised again; and under these circumstances, I would ask the Committee to postpone further discussion until we have arrived at Clause 3 of the Bill. The hon. Member for Bedford, in his opening statement on this question, rather sympathised, as I understood him, with the proposal to introduce leasing powers where no buildings were required, but he said it was impossible to go beyond that. Then the question has been raised whether these leasing powers can extend to holdings over ten acres. These two proposals, I may point out, are rather inconsistent in themselves. On many holdings of ten acres it might be desirable that buildings should be erected. I take it to be the general understanding of the Committee that leasing powers should be included in

the Bill in respect of holdings where no buildings are necessary. I shall be perfectly willing to fairly and fully consider that point without absolutely pledging myself upon it.

(9.40.) MR. CHANNING (Northampton, E.): I would suggest to the right hon. Gentleman whether it would not be better to accept the Amendment.

(9.41.) MR. THOMAS ELLIS (Merionethshire): I moved this Amendment in the hope that it might lead to an enlargement of the scope of the Bill. It has been shown to-night by several speakers who have disagreed with the Amendment that there is need of some such provision as this. The hon. Member for Bedford thinks it would be well that the Government should accept some such provision. But after the appeal of the Minister for Agriculture, I will withdraw the Amendment in the hope that he will bring forward some provision to meet the various demands that have been made from this side of the House.

(9.42.) THE CHAIRMAN: I would point out to the hon. Member that the most appropriate occasion on which to bring the question up again would not be on Clause 3, but in the form of a new clause. Is it your pleasure that the Amendment be withdrawn?

MR. THOMAS ELLIS: Can it be brought up in any way, or can it be discussed before we come to Clause 3? It is important we should know the mind of the Government before we come to the discussion of the clause.

THE CHAIRMAN: Is it your pleasure that the Amendment be withdrawn?

Amendment, by leave, withdrawn.

(9.43.) MR. BARCLAY (Forfarshire): I beg to move, in page 1, line 12, to leave out the words "for persons who are resident in the county and desire to buy and will themselves cultivate the holdings." I think these words would be rather an embarrassment to the County Council, and I hope the right hon. Gentleman will consent to strike them out of the clause. I do not think we ought to confine purchasers to those resident in

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the county. I think the County Council ought to have an opportunity of bringing in persons from outside the particular county where small holdings are provided; and I appeal to the Government not to take the narrow parochial view of confining purchasers to those resident in the county. I agree that the owners of these holdings should cultivate themselves, but I do not think this is the clause in which these words should be inserted. I would propose, when we come to the proper clause, that land acquired for small holdings should be cultivated by the holders themselves.

Amendment proposed, in page 1, line 12, to leave out the words from "for persons," to "holdings," in line 13.—(*Mr. Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(9.45.) MR. CHAPLIN: My difficulty in accepting the Amendment is this: that unless there is some limitation to the power of a Local Authority to provide small holdings within their own area, they may be called upon to provide them anywhere. It is obvious that the operations of every Local Authority should be limited to their own district, and that they should not be called upon to buy small holdings in all parts of the country. The limitations are these: residents in the county, who desire to buy, and who will themselves cultivate the holdings. About the last proposition there is, I believe, no difference of opinion. So far as the Government are concerned, we have never concealed our opinion that we are anxious to put in the forefront of this Bill that the holdings should be for purchasers rather than tenants, subject to those limitations which I have undertaken to consider at a later period of this Bill. With regard to the question whether the purchaser should be resident in the county, I do not take so much objection if that is omitted; but as to the other provisions I must retain them.

(9.48.) MR. ESSLEMONT (Aberdeen, E.): I quite agree that the benefits of this Act ought to be confined to the

people who are cultivators themselves, and that there is no reason why the taxation of the country should be applied to acquiring holdings for any others except the real cultivators. We are specially anxious to bring back to the land the people not only who want small holdings, but the people who want to have small holdings and also to hire their labour out in the district. There is great need for bringing back people to the land who will get a home on the land near the labour at which they are engaged. If this is to be done, I see no reason why it should be limited to the county, and therefore I will support the view of the hon. Member for Forfarshire (Mr. J. W. Barclay). I see no advantage that there could possibly be in confining the benefits of the clause to those who are resident in the county. I think one of the objects of the Bill is to keep the agricultural labourers on the land, to stop the depopulation of the counties and the aggregation of labour in the centres where it is not wanted. I think it would be better for us to consider this matter fairly before we tie the hands of the County Councils.

(9.51.) **COMMANDER BETHELL:** Clause 4 deals with this matter to some extent. If the right hon. Gentleman leaves out the words suggested, the position will be that the County Councils, if they have land to spare, may let it to a person from outside, but the person from outside would not in any way be able to compel the action of the County Council.

(9.52.) **MR. JESSE COLLINGS:** I think if the words "resident in the county" were left out that would meet the views of hon. Gentlemen.

MR. BARCLAY: As the clause at present stands it is necessary that the demand should be in the county itself before the County Council can acquire land. I think it would be better that the Council should acquire the land and be free to dispose of it to any comer. I can easily see that in many counties this would be a great advantage to farmers and small cultivators.

Amendment amended, and agreed to.

*(9.55.) **SIR W. FOSTER:** In view of the conditions that have been made by the President of the Board of Agriculture, I do not wish the County Councils to be limited entirely in their proceedings to persons who desire to buy, and with that object I move to leave out the word "buy," and put in the word "occupy." We want the people to occupy the land. We do not want this Bill to be limited simply to persons who are in a position to buy, because there are a large number of people who are not in such a position, but whom we desire, nevertheless, to benefit under this Bill. If the purchase money is kept at a high figure it will exclude large numbers, and we wish to recognise that others beside purchasers are contemplated by the Bill.

Amendment proposed, in page 1, line 12, to leave out the word "buy," and insert the word "occupy."—(*Sir W. Foster.*)

MR. WINTERBOTHAM (Gloucester, Cirencester): Do I understand that the words, "resident in the county," are in the Bill, or are they struck out?

THE CHAIRMAN: They are struck out.

MR. WINTERBOTHAM: I rose three times to speak in favour of those words.

THE CHAIRMAN: I put the Question and the Committee agreed.

MR. WINTERBOTHAM: There are several Members round me who desired to vote against it.

(9.56.) **MR. CHAPLIN:** I desire to point out that if the words remain in the Bill they will not prevent the attainment of the object which the hon. Gentleman wishes to secure, because at a later period of the Bill the consideration of the facilities to small holders will be taken. But for reasons which I have before explained we are anxious to retain the principle of purchase as what I may call the first principle of the Bill. It will not in the least interfere with the desire of hon. Members who are anxious about let-

ting, upon which, I may say, we have already come to a general understanding; but it will retain the principle in the interests of the rate-payers, and on no other grounds, that purchase should be the first principle rather than a secondary principle. The power of letting, to a considerable extent, will not be prevented, and I hope the hon. Member will allow the clause to remain as it is.

(9.58.) **SIR W. HARCOURT:** I am not sure that the right hon. Gentleman is right. This is the only clause which enables the County Council to buy, which, of course, is the preliminary proceeding. The County Council by this clause are to buy subject to certain limitations. They are to buy for a limited class. I understand that the words "resident in the county" have been knocked out, and it now remains that the only power the County Councils will have to acquire land is for persons who desire to buy. It is quite clear that there is no other power. They will have no power to acquire land for people who desire to occupy but do not desire to buy. The power to acquire land is in the 1st clause, and I say that if we pass this clause as it is the power will be limited. [**MR. CHAPLIN:** No, no!] It is limited in this clause, which says that they may buy suitable land for persons who desire to buy, and thus cultivate the land. That cannot be for everyone, and it does not fulfil the conditions which my hon. Friends desire. It is perfectly clear and plain. If these words are not altered it will be perfectly idle for us afterwards to introduce provisions which the 1st clause has formally prohibited. You must use some larger and more general words.

(10.2.) **MR. CHAPLIN:** The right hon. Gentleman labours under the disadvantage that he has only this moment come into the House, and has not been able to hear the previous discussion.

SIR W. HARCOURT: That has nothing to do with it. I have read the Bill.

Mr. Chaplin

MR. CHAPLIN: We have been discussing the matter now for the best part of an hour, and I am happy to think that the Committee have come to a general understanding. The right hon. Gentleman will pardon me for stating this fact, of which he was in ignorance. The right hon. Gentleman is labouring under a mistake. He is confusing those persons who desire to buy with those who are unable to buy. It is laid down in the Bill that the Local Authorities shall buy these small holdings for those who desire to buy. If the people who desire to buy are unable to buy, which I imagine will be a very common thing, when the Bill comes into operation the Local Authorities may let to these persons. But for reasons which I have stated over and over again in Committee, we do desire—and I hope we shall retain the confidence of the Committee—to retain in the Bill as its first principle rather than as a secondary principle that the land shall be provided for those who are able to buy, so as to make them owners of the land rather than tenants. I have been prevented by the very proper ruling of the Chair from stating all my arguments on this point; but if the right hon. Gentleman will look fully into the question, he will see that there are very grave and serious considerations, which can be advanced chiefly in the interests of the rate-payers—not the least in the interest of the landlords or of the holders—which make it extremely desirable that people who are in a position to do so should purchase rather than hire the land.

(10.5.) **SIR W. HARCOURT:** The explanation which the right hon. Gentleman has given has made it more obvious than before that the alteration should be made, and I am more confirmed than ever in my view that these words are not the proper words to have here. Now, what is proposed in reference to this matter? That people should go through the preliminary process of desiring to buy; that though they have got no money to buy, yet they should appear in the character of people desirous to

buy land. I do not think anybody could fail to see the absurdity of a clause framed in such a manner as that. If it means that there are people who desire to hire, and that the people who desire to hire are those people who have got no money to buy if they did desire to buy, I think the expression of that desire would be a farce, and I might say an imposture, under the circumstances. If it means to furnish a declaration that people who are desirous of holding land should be enabled to hire land, it would be just as well to say so. Surely it would be much better at first to make the first enacting clause enable the Councils to buy for all purposes for which they shall desire to buy.

*(10.7.) MR. WINTERBOTHAM (Gloucester, Cirencester): I think that this Bill, as it stands now, ought to be entitled "A Bill to Enable Landlords to Dispose of their Estates in Small Farms with the Guarantee of the County Councils." That, I think, would be an accurate description of it. An incursion of hungry Scotch farmers are to be allowed to come down upon any county to buy the estates of impecunious noblemen in 50 acre lots, with the guarantee of the unhappy ratepayers on whose behalf you say that you have brought forward this Bill. I thought this was a Bill for providing poor labourers with a chance of getting a bit of land in their own county on fair terms. I object to the word "buy." The object of the Bill is to "provide" small holdings for the agricultural population, and to keep them on the land. If that is not the object, let us understand it at once; but it has been stated over and over again that that is the main and primary object of the Bill. Well, then, this word "buy" has no right to be put in the 1st clause of the Bill. If this word "buy" is put into the Bill it will certainly convey to the mind of any authority that has to construe it that the primary and chief and main object of the Bill is to buy the holdings. If the right hon. Gentleman will allow the phrase "buy or hire" to be inserted then I am content, or if he will leave out "buy" I am content; but I object

to his putting into that 1st clause the word "buy," to the exclusion of "hire."

*(10.10.) SIR W. B. BARTTELOT (Sussex, North-West): I have read most carefully this Bill, and I find it has been very considerably altered lately. I am afraid that after what has happened we could not leave the word "buy" in. If we are to have letting in an extended form as well as selling, that will make a great difference in the Bill. Then we must conform in the 1st clause to what we are going to do afterwards. I venture to hope, therefore, my right hon. Friend will consent to leave out the word "buy," or add, in addition to the word "buy," the words "for letting purposes," or any other words which may be more suitable. As the Bill stands now, I think it would not be workable in the way intended.

(10.12.) MR. T. ELLIS: The right hon. Gentleman has made a concession to the House—namely, that he is willing that the County Council should let land as well as sell it; and yet, in objecting to this Amendment, he shirks the logical consequence of his own concession. It is quite clear, if these words are allowed to remain in the Bill without the addition of the words "or hire," the clause will be completely inconsistent with, or contradictory of, Clause 3, as it will stand after the Amendment, which the right hon. Gentleman says he is willing to accept, has been made. I trust he will not take away the value or grace of his own concession, which he will do by sticking to these words.

(10.13.) COMMANDER BTHELL (York, E.R., Holderness): If my right hon. Friend gives way on this point it is quite clear it will not in the least benefit the Bill. My right hon. Friend's object is to assert the principle in the 1st clause of the Bill, that land shall be bought and not let. I do not presume to say that the words he uses are the most strictly logical words he might use; but, still, I am quite sure that it cannot affect in any way the 2nd clause, or any other clause, even if the alteration is made. If my right hon. Friend sticks to the words I shall support him.

(10.15.) MR. SHAW LEFEVRE (Bradford, Central): It seems to me that these words are totally inconsistent with the concession which the right hon. Gentleman has made. If the right hon. Gentleman consents, as he says he does, to amend Clause 3 by omitting the words which I have given notice to omit, and these few words are permitted to remain, it will prevent the Local Authorities from letting land in any way. I think he should omit these words which are now objected to, as they appear to me to be wholly out of place.

(10.16.) MR. POWELL WILLIAMS (Birmingham, S.): If the House agrees to insert the words "desire to buy," I think it should also agree to insert after them the words "or otherwise to become tenants under this Act." That is the suggestion I venture to make. The words "desire to buy" should thus remain, as indicating the spirit of the Bill, and immediately following would come the words "or otherwise to become tenants under this Act."

*(10.18.) MR. H. H. FOWLER (Wolverhampton, E.): I object to putting words in a Bill which are, as it is said, to indicate its spirit. This is not only an enabling clause; but under this clause they are to acquire compulsory powers, and upon this clause the powers under this Bill will depend. This is rather a difficult question to be argued by laymen. I do not desire to submit it to the right hon. Gentleman—I would rather submit it to his Legal Advisers; and I submit that, whatever we insert in Clause 1, it will refer to the case of acquiring land for the purpose of small holdings. Even if Clause 3 is altered as suggested, I do not think that would help the right hon. Gentleman out of the difficulty at all. It means a litigation to settle the question. I think the Amendment to be made should be either the Amendment suggested by my hon. Friend the Member for Ilkerton, "who desire to buy or to occupy," or to leave out the words "to buy or to occupy"; but I think the best course is to leave out the words altogether, thus simply leaving out all reference

to either buying or hiring, and confining it entirely to the cultivation. I am unable to reconcile the clauses in the Bill as they at present stand. If this Amendment is rejected, the Bill will be practically confined to buying, and subsequently we shall have to go all over this question again.

(10.21.) MR. HOBHOUSE (Somerset, E.): I would join in the appeal which has been made to the right hon. Gentleman that these words should be left out. No one has the slightest affection for them except himself, and surely the right hon. Gentleman must see that if they are retained they will undoubtedly prejudice the question when it comes to be discussed on a future occasion. Moreover, there was a general understanding in a previous discussion that these words should be withdrawn.

(10.22.) MR. ESSLEMONT: I will also join in the appeal which has been made to the right hon. Gentleman that the words in question should be omitted. I hope he will not insist upon retaining them, for they are not necessary in any way.

*(10.23.) MR. CHANNING: There is an anxious desire on this side of the House to facilitate progress in giving effect to the concession which the right hon. Gentleman has indicated in reference to Clause 3. I think it might be desirable to meet him half way by retaining, as he wishes to retain it, the word "buy," and by adding the words "or hire." I hope the right hon. Gentleman will consent to this suggestion being carried out.

(10.24.) MR. BARCLAY (Forfarshire): I hope, in connection with Clause 4, that County Councils will pay no attention to the petition of anyone to take land unless it is shown that he has sufficient money for the purpose.

(10.25.) MR. CHAPLIN: I have been advised by my right hon. Friend the Attorney General that it is incorrect to assert that these words are inconsistent with the other clauses of the Bill. The Government desire persons to buy, if possible, rather than become

tenants; but in the case of many who would undoubtedly be found unable to purchase, provision for hiring is made by Clause 3. Nothing can be more simple or more consistent with the double object which the Government wish to promote—namely, the primary object of the creation of small owners of land, and the further desire to meet a want which has been expressed on the opposite side of the House, and which is shared by myself and my friends, that where persons are not in a position to buy, facilities should be given them to acquire land otherwise than by purchase. I would, therefore, ask the Committee to sanction the retention of the clause.

(10.28.) **SIR W. HARCOURT** (Derby): As the right hon. Gentleman is so anxious that these words should be retained, I would suggest that the hon. Member should withdraw his Amendment, and permit the hon. Member for Northamptonshire to move that the words "or hire" should be added to the word "buy." Then we shall be able to take a Division on the question whether or not persons who desire to hire should or should not have a place in the enacting and empowering clause of the Bill. The right hon. Gentleman has admitted that the persons who will not be able to buy will be the majority, and, therefore, the Bill can be said to meet only the wishes of the minority. It is impossible to reduce it to a greater absurdity. The primary object of the Bill—that of buying—will be availed of but by few, whilst the secondary object—that of hiring—would be availed of by many. Why should those who desire to hire be excluded from the empowering clause of the Bill? If we take a Division, as I have suggested, we shall come to an intelligible issue on the question.

*(10.35.) **SIR W. FOSTER**: I shall be happy to fall in with the suggestion of my right hon. Friend. I do not want the word "buy" to be put in to the exclusion of other words such as "hire." I will, therefore, withdraw

my Amendment, in the hope that the words "or hire" may be added afterwards.

Amendment, by leave, withdrawn.

DR. CLARK (Caithness): I beg to move the addition of the words "to rent or buy," in order to enable those who do not wish, or are unable, to buy land to rent it. If the right hon. Gentleman is going to concede to the County Councils power to acquire land for the purpose of letting it and not merely for the purpose of selling it, this is the place to insert the word "rent" so that those desirous of cultivating may have the power to do so.

Amendment proposed, in page 1, line 12, after the word "to," to insert the words "rent or."—(*Dr. Clark.*)

Question proposed, "That those words be there inserted."

SIR W. HARCOURT (Derby): I hope my hon. Friend the Member for Caithness will not persevere with his Amendment. We are all agreed upon the principle of hiring or letting under this clause, but we attach great importance to the prominence given to buying, therefore let us keep the word "buy." In any case the matter can be better raised on the Amendment of my hon. Friend the Member for Northamptonshire.

Amendment, by leave, withdrawn.

Amendment proposed, in page 1, line 12, after the word "buy," to insert the words "or hire."—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

VISCOUNT GRIMSTON (Herts, St. Albans): I hope the right hon. Gentleman will not listen to any Amendments of this class, which are a distinct danger. The object of this Bill is to provide, if possible, for the replacing of yeomen farmers on the land, and the acceptance of this Amendment could only have the effect of restricting that operation. If the County Council, having to find capital to buy land, retained that capital as landowners they would be very greatly hampered and restricted,

owing to their capital being locked up in their efforts to place a large number of yeomen farmers on the soil. I, therefore, hope that the Government will not listen to this Amendment, which is proposed under a total misapprehension of the object of the Bill.

*MR. F. S. STEVENSON: If the right hon. Gentleman does not accept the Amendment of my hon. Friend the position will be this—it will be a preliminary condition that any applicant for land should come with the desire to buy, a desire which he probably shares with 99 out of 100 persons, but which, in common with 99 out of 100 persons, he is unable to carry out. Not only are the words apparently inconsistent with Sub-section 2 of Clause 3, but they are absolutely inconsistent and incompatible if the Amendment of the right hon. Gentleman the Member for Bradford is accepted by the Government. No reply has been made by the Attorney General on that point.

SIR R. WEBSTER: It seems to me the words are right as they stand now. The object of the Bill is to enable County Councils to buy land in order that persons desirous of buying land should be able to purchase it, and under certain circumstances and conditions to hire it from them. Sub-section 2 of Clause 3 provides that the County Council may let the land if persons are unable to buy. I can see no inconsistency in the Bill. There is the fullest latitude and power given to the County Council, and anybody accustomed to dealing with language of this kind will know that the Bill is framed in the right language.

SIR W. HARCOURT: I do not see why the Attorney General should object to the words "or hire." It is only by a curious construction—by importing the words in Sub-section 2 of Clause 3, and bringing them to bear on the construction of Section 1, that he applies the section to hiring at all. The fact is, Clause 3 cannot be used for such a purpose at all. It has nothing to do with the powers under which the County Council is enabled to hire land. There-

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fore, the attempt to bring in Clause 3 to interpret Clause 1 is a contention that no Court of Law would entertain for one moment. The County Council is to acquire the land. For whom? For persons desirous to buy. These poor people are not desirous to buy. They cannot do it. They are desirous to hire. The right hon. Gentleman has, by the concessions he has already made, admitted that the majority of persons who will come under the Bill are small men who would wish to hire because unable to buy, and we want the Bill accommodated to meet the views of the right hon. Gentleman. But when the right hon. Gentleman is asked to accommodate his Bill to his concessions he declines to do so. The Attorney General has not pretended that these words "or hire" will do any harm, and if it is really meant that when the land is acquired it may be let on hire, then these words ought to be inserted.

*SIR R. WEBSTER: I have already said that if these words are put in they will indicate an intention by the Bill to make the County Councils simply landlords, to let land to people who never had any intention to buy their land at all. We are all agreed that when a labourer desires to buy he should be enabled to do so. It is not simply a question of a person desiring to hire land from a fresh landlord. The intention of the Bill is that there should be an intention to buy and an inability to pay. It is in that instance that the power of the County Council to hire should come in. My objection to the insertion of the words is, that they would indicate an intention that the County Council should let land to tenants who never had the slightest intention of buying.

*MR. CHANNING: The position in which the Government find themselves is absolutely incomprehensible and absolutely absurd. What does the hon. and learned Gentleman mean by saying "an intention to buy," and how and in what manner are the class of men to whom he refers to signify their intention to buy? The County Council, by the concession

which the right hon. Gentleman has announced, binds itself not to look into any security that these men will be in a position to buy later on; it is simply an expression of a desire to buy. There is no guarantee or practical security that these men will ever buy, or ever attempt to buy. The whole thing is absurd. A man may express his desire to go to the moon, and that also would be absurd. What the concession amounts to is that the Government are prepared to admit that County Councils should have the power to acquire small farms, and re-let them to persons who are not in a position to buy. Many labourers who are not in a position to buy may have a vague desire to buy, but it is simply monstrous to insist on their stating that desire as a condition of having land let to them when by your concession you have removed the only security that that desire is *bona fide*. Either we should do one thing or the other. Are we to append to this Bill a clause which will enable County Councils to carry on the Allotments Bill on a somewhat larger scale, or are we not to do so? I venture to say that, unless these words "rent or hire" are inserted, our position is simply reduced to legislating on the most absurd, ridiculous, and unjustifiable lines. Either we mean free holders, or we mean to append—and I understand the right hon. Gentleman means to append—powers to give somewhat larger allotments to those who are not in a position to buy.

(10.55.) MR. JESSE COLLINGS: I would suggest to the right hon. Gentleman whether it would not be better to omit the words in question altogether. I hope, however, that the Government will make it clear that this is really a Small Holdings Bill for the creation of yeomen proprietors throughout the country, and I would further ask the right hon. Gentleman whether he could not make that perfectly clear by the nature and scope of the clauses which come afterwards rather than by the adoption of the words referred to? For, while there is no doubt that the main object of the Bill is to create a class of peasant proprietors, yet it is generally admitted

that there will be many men who will want to rent land under the Bill.

*(10.57.) LORD F. HERVEY (Bury St. Edmunds): So far as the question submitted to the Committee is one of drafting it seems to me of very little importance. I do not think, if the proposed words are inserted, that the scope of the third clause will be extended. Nor, if they are omitted, will that clause be restricted. The real question before us is whether it is to be made a necessary condition that any person applying for the benefit of this Act should come forward with an already-formed desire to purchase the land. I know something of the agricultural labourers in Suffolk. They are very reserved, and they do not form their conclusions in a hurry. I am perfectly certain that, if this condition which the right hon. Gentleman seems determined to insist upon is imposed, the agricultural labourers of Suffolk will have no advantage out of this Bill. There are many of them who would be willing and desirous to hire land in order to see if they can make it pay; and, if so, they will afterwards have a desire to purchase the land. Is it not within the knowledge of the right hon. Gentleman that what we are asking people to do is a thing which the late Sir James Caird declared that nobody but a fool would do? Sir James Caird's view was that a man could make a profit of 10 per cent. on his capital as a cultivating occupier, but only two per cent. as an agricultural owner. Why, then, deny agricultural labourers the opportunity of hiring small portions of land which they may be able to cultivate with advantage and insist that they should come to the County Council with a formed desire to buy the land before they know whether they can make it pay?

(11.0.) MR. A. J. BALFOUR: I think the question is one of considerable importance, and it is possible that some Members of the Committee do not see the full bearing of the proposal which has been made. I do not at all dissent from the view of the noble Lord who has just spoken with regard to agricultural labourers first hiring the land to see if they can make it pay, and, if so, then to endeavour to purchase; but I do not think that is an argument

against the position taken up by the Government. The real question is, with what object did the Government introduce the Bill? The object they have in view is as far as possible to produce a body of prosperous cultivators of the soil which they own. Now, if the words proposed are inserted, you will make it clear on the face of the Bill that there is a second purpose in view wholly different, and in some respects radically inconsistent, with that object. What is that object? It is to make the County Council for all time an owner of land and landlord at a quit rent over a large body of tenants, and it appears to me that such a course as that would be disastrous to the County Council and most injurious to the tenants you are going to create. It must be borne in mind that the County Councils, if placed in the position of landlords, could not possibly make the concessions to their tenants that an ordinary English landlord could make. They will be bound by rigid rules, and must evict their tenants if the rent is not paid to the day. The noble Lord the Member for Bury St. Edmunds has admitted that it would be the desire of the labourer who acquired a holding on terms of hiring to become the owner of his land when opportunity offers. Let the Committee consider what hardship is imposed upon the labourer by the Bill as it stands. The labourer will take a holding with the desire of rising upon the ladder that is offered to him, and so attaining to some higher position in the social scale, and the main principle of the Bill is to enable such a man to use the power that is given him of becoming the freeholder of his holding independent of the County Council or anybody else. Is not that an ideal which should be on the face of the Bill? Is not that the ideal which the House has set itself to accomplish, and are we going to interfere with that by deliberately introducing words into the Bill which would make it appear as if one of the objects, and one of the chief objects, we had in view was to turn County Councils in this country not merely into instruments for the creation of small holdings, but into gigantic landlords of large districts of small holders holding at a

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rack rent? I cannot conceive that anybody would desire to see such a proposal as that carried out. For these reasons I hope the Committee will not adopt the Amendment which has been moved.

SIR W. HARCOURT: Now we have a distinct avowal on the part of the Government that the acquiring of land for the purpose of hiring is not even a secondary object of the Bill.

MR. A. J. BALFOUR: I do not admit the right hon. Gentleman's interpretation. I say hiring land is an essential part of the Bill.

SIR W. HARCOURT: Then I cannot understand what the argument of the right hon. Gentleman is. The right hon. Gentleman said the purpose of the Bill was to buy, and that if you admit the word "hire" it becomes a secondary object.

MR. A. J. BALFOUR: A co-equal object.

SIR W. HARCOURT: Very well, co-equal object. But he will not admit the word hire. Therefore, to obtain the co-equal quality, you put in one equal and leave out the other.

MR. A. J. BALFOUR: Either I must have failed to express myself with lucidity or the right hon. Gentleman cannot have exercised that discriminating criticism on this occasion which he usually gives to his opponents. We say that we regard hiring as a means towards small holders becoming freeholders. If you admit these words, that object would not appear on the face of the Bill, and we desire that it should do so.

SIR W. HARCOURT: We believe that if this Bill is to be of use, it must apply in the multitude of cases where there is no possibility of buying at all. The right hon. Gentleman has put a very plain issue before the House. I will tell him what we are afraid of. If a County Council did not wish to exercise the powers under the Bill, it could say that the majority of the applicants were not people in a position to buy, and those who could buy were so few that it would not be desirable for the Council to acquire

land at all for the purposes of the Bill. What, then, becomes of the small people who only desire to hire, knowing perfectly well that that is all they can possibly accomplish? The noble Lord gave the Minister of Agriculture a fair warning as to the result of insisting that this is a Bill for buyers and not hirers of land. That is exactly the issue between us. The speech of the First Lord of the Treasury is a distinct condemnation of the clause as it stands. He wishes to make it clearly understood that the primary and almost exclusive object of the Bill is the purchase of freeholds, and if there is to be any hiring at all it is to be a very secondary object, and only to be regarded so far as it contributes to the primary object. That is a fair issue on which the view of the Committee can be taken.

MR. CHAPLIN: I hope the Committee will now come to a decision on the matter. I regret that after the discussion had been conducted with such good humour, the right hon. Gentleman should have intervened at the time when the Committee were about to arrive at a decision. The right hon. Gentleman suggested that the County Council might take the clause as it stands as an excuse for taking no action. How is it possible for the Council to do anything of the kind, when Clause 4 distinctly lays down that one or more county electors may petition the County Council, alleging that there is a demand for small holdings in the county—it does not say whether for purchase or hire—but, that petition being presented, the clause lays it down as the positive duty of the Council to forthwith appoint a Committee to inquire into the matter, and report to the Council? My right hon. Friend stated, as I have stated over and over again, without objection being taken to it, that the primary object of the Government has been, if possible, to create freeholders instead of tenants. When the proper time comes there are numberless reasons which will be given—reasons which led the Select Committee to agree unanimously with the view that on the whole ownership, however qualified, is preferable to any form of tenancy.

That is the opinion which any body of gentlemen, which has made a full investigation of the question, must unanimously arrive at, if they have any regards for the interests of the Local Authority, and, above all, for the interests of the ratepayers.

*MR. WINTERBOTHAM: I want to tell the Committee what the Minister of Agriculture told the labourers was the object of the Bill. The fact that the Government will not allow the words "or hire" to go into the Bill shows that they have reverted to the Exeter speech of the Prime Minister, that this was a Bill to create yeomen farmers, and that it was to be admitted that it would not do much good to the labourers. The question is, whether words shall be inserted which will enable the Bill to be used for the benefit of poor agricultural labourers, and whether the ladder which has been spoken of shall be the one they desire, or some lofty ideal set up by the First Lord of the Treasury? When the Minister of Agriculture was at Shrewsbury he used these words to the labourers—

"The object of the Bill was to bring about by legislation a wider distribution of land among the people; to attach, if possible, more closely to the land the man who actually worked upon the land and extracted from it the produce which it grew, and to whose exertions the wealth it was made to render was actually primarily owing. It was an honest and genuine attempt to give the labouring classes greater facilities for access to the land than they had hitherto had."

And then the Minister of Agriculture finished by saying—

"It provided for those who had not been able to save money by enabling the Local Authority to procure the land and let it out in small holdings of ten acres at a time."

There was not one word to these labourers about yeomen farmers. The object of the Amendment is that agricultural labourers, in whose interests the Bill is avowedly introduced, should have, at all events, a place in the Bill.

*MR. H. H. FOWLER: The peaceful state of the Committee arose from the statement that the right hon. Gentleman was prepared to accept in a broad and liberal spirit the principle of letting. But it was pointed out in

dealing with the phraseology of the Bill that Clause 1, the acquiring clause of the Bill, is restricted to buying, and the Committee asked that that restriction should be removed and the clause made to agree with the promise and intentions of the right hon. Gentleman. The Attorney General admitted that the acquiring clause of the Bill, under which alone the County Council can acquire land, was for the purpose of buying. "But," said the Attorney General, "you can get in people who desire to let by a back door." They are to say "We desire to buy;" then, "We are unable to buy;" and then, "We desire to hire," and possibly under that they may come in. Then the First Lord of the Treasury comes in and smashes the whole thing at once. He says, "Our object is primarily, almost exclusively, to sell land to yeoman farmers."

MR. A. J. BALFOUR: Labourers.

*MR. H. H. FOWLER: Yeomen labourers. He maintained that it was to create proprietors, and he would not admit as a secondary purpose the hiring of land except the persons meant ultimately to acquire it. We do not want that. It is an admirable Bill for creating yeoman farmers, but we want it to meet the case of those who wish to hire without the intention of purchasing. The first clause of the Bill is confined to buying the land; we want it to be extended to include the hiring of land, and that is what we are going to divide on.

(11.18.) MR. J. CHAMBERLAIN (Birmingham, W.): It appears to me there is some misunderstanding on one side or the other, but I cannot see any principle involved. If I understand the position of my right hon. Friend and the right hon. Member for Derby (Sir W. Harcourt), they approve of the proposal to facilitate the creation of peasant proprietors, but they desire that in addition facilities should be given for the creation of small tenancies. I do not understand that they propose that these small tenancies should be encouraged to the same extent as is suggested in connection with small holdings. When the matter was before the Select Committee—and I think the general sense of the House will be with us—we came to the conclusion that

Mr. H. H. Fowler

nothing could be worse or more injurious to any proposal of this kind than to put the County Council in the position of landlords. This is an important question, and when it was before the Select Committee we thought that nothing could be worse or more injurious than any proposal which would put County Councils in the position of landlords on a large scale. When bad times came they would be put under pressure to reduce rents, and they would not be in the same position as private landlords. It was, therefore, a risky undertaking for County Councils to enter into speculations of that kind. As I understand, it is the desire of hon. and right hon. Members on this side of the House to confine the small tenancies to tenancies of not less than ten acres. This was the recommendation of the Committee of which I had the honour to be Chairman, and it is really only an extension of the Allotments Act. It was felt that it was impossible that labourers could in any numbers avail themselves of a Bill for the creation of small holders, and it was therefore desirable to create tenancies of from one to ten acres. That is what is aimed at on both sides of the House, and in that case there is no question of principle to divide upon. It is a mere question of drafting, and whether the Bill carries out intentions on which both sides of the House are agreed.

SIR R. WEBSTER: I would point out to hon. Members that to insert the words "or hire" in this clause, without any limit at all, would be to lay it open to the objection that there would be no limit to the tenancies let on hire. The question of hiring only comes in when men are unable to purchase, and consequently the limitation has not to be considered with reference to the larger holdings. Therefore the draftsmanship of the Bill is quite correct. If there is anything that is not clear it can be corrected in the later clause; but to put letting in the forefront of the first clause would be to indicate the desire to let equally with the desire to sell, and would give the idea of the County Council being general landlords. The Bill expresses the general desire to limit letting and

hiring to persons who could not purchase, and also to holdings of less than ten acres. If the word "hire" were inserted in this clause it must be immediately followed by limitations, whose proper place is in a later part of the Bill.

SIR W. HARCOURT: I infer from what has just been said by the right hon. Gentleman that if you do not put the words "or hire" into the clause, it will not give County Councils power to acquire land for the purpose of letting holdings of less than ten acres. If the words are inserted, County Councils will then have the power which it is desired to give to them. A more obvious fallacy than the argument of the Attorney General it is impossible to conceive; and as to the right hon. Gentleman the Member for West Birmingham, he could hardly have listened to the speech of the First Lord of the Treasury, who put it entirely as a matter of principle. I fail to see why these words should not be put in the Bill.

MR. ROBY (Lancashire, S.E., Eccles): I submit that the Amendment would not be in conflict with the provisions of the Bill.

*MR. HALDANE (Haddington): The Government desire to create a class which we on this side of the House have no desire to establish. The Government desire to create unrestricted freeholds, but we are anxious to create either restricted freeholds, or, if not, leasehold tenures. It seems to me we on this side of the House, including my right hon. Friend (Mr. Chamberlain), do not desire to create the kind of freeholds the Government desire to create. The Government desire to create an absolute freehold tenure under which at the end of ten years, or when the purchase money is paid off, the small holder will be in a position of absolute ownership, free to sell to the neighbouring squire or created limitations in tail male with remainders over. Well, that is not the kind of freehold we desire to create, that is not the kind of freehold my right hon. Friend desires to create. We wish to keep some control in the interest of the public over the land. If we are not to have that control in this case of the new free-

holds, at least let us leave the alternative of power to the County Councils to let unrestrictedly. I recognise the difficulty of a County Council having to bear the brunt of bad times and to meet the difficulty of letting, but that is a lesser evil with less risk than attends the plan of the Government to create nothing but absolute freehold tenure. That is not the tenure at which we aim, and at which the right hon. Gentleman the Member for West Birmingham aims. It is because we view with great apprehension the proposal in the Bill to create absolute freehold tenure that we lay great stress on this leasehold alternative. It is not a question of drafting but of principle, even from the point of view of the right hon. Gentleman (Mr. Chamberlain), and it seems to me we must divide on the proposition.

*(11.38.) MR. LAWSON: I cannot be included in those on this side whom the hon. and learned Gentleman says look upon leasehold tenure as the great advantage to be established by the Bill. I have read the evidence given before the Committee, and I am bound to say that every witness deprecated leasehold tenure, except as a necessary evil where small holdings could not otherwise be provided.

MR. HALDANE: I do not say the creation of leaseholds; I say a tenure, subject to conditions restricting the freehold such as was proposed by the hon. Member for Bordesley (Mr. Jesse Collings).

*MR. LAWSON: In voting for the Amendment I support an alternative to purchase which may be necessary for the labourers, but that is not the main object the Bill seeks to promote. I cannot suppose that a County Council will be much better than any other Corporation as a landlord, and it is universal experience that no landlord is so bad as a Corporation, and I do not think it is a public object to establish by Statute in this way.

(11.39.) MR. JESSE COLLINGS: I just want to say a word on the issue to be decided. This Bill is for the creation of peasant proprietors in all the independence and freedom which cultivating ownership alone can give,

and the object, as I take it, of those who support this Amendment is to curtail that principle as much as possible and to create throughout the country a large number of tenants dependent, as the hon. Member below me (Mr. Lawson) has just said, on the very worst class of landlords that can be created. Therefore, it is not an issue of supplying land to the labourer who cannot afford to buy, for that is amply provided for further on in the Bill. The principle upon which we are going to divide is whether we shall maintain the primary object of the Bill to create an independent class of peasant proprietors throughout the country, and at the same time to help those who are not just now in a position to become owners by assisting them to hire a limited amount of land, in order that such land may become what has been termed a ladder upon which they may mount to the position of owners.

Question put.

(11.43.) The Committee divided :—
Ayes 72; Noes 152. — (Div. List, No. 79.)

(11.53.) Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir W. Foster.*)

MR. CHAPLIN : There remain a few minutes we might utilise.

Question put, and negatived.

SIR W. FOSTER : After the decision we have had I do not think the word "occupy" is necessary, and I therefore shall not move my Amendment.

*(11.54.) MR. SEALE-HAYNE : The Amendment I have to propose is similar to that I proposed in the Allotments Bill, to give to the Local Government Board power by Provisional Order to take land compulsorily. I admit at once it is a modified form of compulsory purchase, but the power is not placed directly with the County Council but with the Local Government Board. I believe that a provision of this kind would add very largely to the utility of the Bill. I perfectly agree with the argument of the right hon. Gentleman (Mr. Chaplin), who said, on introducing the Bill,

Mr. Jesse Collings

he wished to add to the number of small freeholders and yeoman farmers, and that he looked with disfavour on the accumulation of land in a few hands. Now, we on this side of the House have frequently advocated measures for remedying this evil, but none of the measures we have advocated have found a place in this Bill. There is no doubt that the custom of primogeniture in this country is one which has led to the accumulation of land in the hands of the few. Then we have the custom of tying up land in settled estates, and that is another great cause of the accumulation of landed property among the few, yet this Bill in no way purposes to deal with such points as these. Then the dearth of transfer makes landed property only suitable for men of large means, another cause of the accumulation of which I speak. We have also on this side of the House advocated the simplification of title, and that does not find a place in the Bill. Instead of removing these anomalies and abuses of the law which have brought the land of this country into its present position and have led to the necessity for introducing a Bill of this kind, the right hon. Gentleman proposes to remedy this evil by what is really a Socialistic measure, a measure for raising money on the security of the rates, and applying it to the purpose of the purchase of land to remedy abuses which have crept in, owing to bad laws, during a long course of years.

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Thursday 28th April.

ROADS AND BRIDGES (SCOTLAND) ACTS AMENDMENT BILL [*Lords*].

(No. 232.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. T. M. HEALY (Longford, N.): I object.

MR. MARJORIBANKS (Berwickshire): I hope the hon. Member will not press his objection. Though a small matter in itself, the Bill is of much importance to Scotland.

MR. T. M. HEALY: I withdraw my objection.

Motion agreed to.

Bill read a second time, and committed for To-morrow, at Two of the clock.

WEIGHTS AND MEASURES (PURCHASE) BILL.—(No. 257.)

SECOND READING.

Order for Second Reading read.

MR. T. M. HEALY: I object.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I hope the House will allow this Bill to be read a second time. Its only object is to authorise County and Borough Councils to enter into agreement with the lord of the manor for the purchase of the franchise of weights and measures, thus avoiding duplication of authority. I have received very urgent representations in favour of the Bill in reference to the Manor of Wakefield from the West Riding of Yorkshire. I hope we may be allowed to take the Second Reading.

MR. T. M. HEALY: The right hon. Baronet will have ample time to proceed with the Bill as soon as the Irish Local Government Bill is withdrawn.

Second Reading deferred till To-morrow, at Two of the clock.

ACCESS TO MOUNTAINS (SCOTLAND) BILL.—(No. 213.)

SECOND READING.

Order for Second Reading read.

MR. KELLY (Camberwell, N.): I object.

DR. FARQUHARSON (Aberdeenshire, W.): I merely rise for the purpose of asking the Lord Advocate to give me information—

MR. KELLY: I object.

DR. FARQUHARSON: The hon. Gentleman is premature; his zeal out-

runs his discretion. I am not about to move the Second Reading. I believe I am at liberty to ask a question. I merely wish to ask the Lord Advocate to be good enough to define the position of the Government in regard to the Bill. Are the Government, having accepted the principle, inclined to look with a sympathetic eye upon the Bill as a means of carrying out that principle?

THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): It may be a question how far the Bill carries out the spirit of the Resolution agreed to by the House, and certainly the Bill cannot pass its Second Reading without discussion.

Second Reading deferred till Monday, 25th April.

MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 229.)

SECOND READING.

Order for Second Reading read.

MR. HOWELL (Bethnal Green, N.E.): May I appeal to hon. Members who have objections on points of detail to allow the Bill a Second Reading now?

SIR E. HARLAND (Belfast, N.): I object.

*SIR M. HICKS BEACH: I hope I may induce my hon. Friend not to press his opposition at this stage. I think the principle of the Bill is a right one, but I think it is carried out in an impracticable manner. I have Amendments to propose, and should not allow the Bill to become law in its present shape; and in order that sufficient time shall be afforded for the consideration of Amendments by those interested in the matter, I hope the hon. Member in charge will not object to placing the Committee for a distant date, when I believe we can put the Bill into such a shape as will avoid those evils of which shipowners are afraid.

SIR E. HARLAND: I am sorry, but I must press my objection to the Second Reading.

Second Reading deferred till To-morrow, at Two of the clock.

FINANCIAL RELATIONS (ENGLAND, SCOTLAND, AND IRELAND) COMMITTEE.

MR. H. H. FOWLER (Wolverhampton, E.): It is scarcely carrying out the intention with which the House agreed to a Resolution to appoint this Committee that the Motion should be set down night after night at a time when it cannot be taken. It is two years since it was sanctioned, and it is of vital importance to proceed with the inquiry. Will the right hon. Gentleman agree to take the Motion at a time when the Amendment can be discussed and a decision taken?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I thought I had made a statement which would have been considered satisfactory—to the effect that soon after Easter I would ask my right hon. Friend the Leader of the House to arrange that the Motion should come on, say, about eleven o'clock, giving an opportunity to Welsh Members to make their speeches and their protest. I hope an hour or a little longer may be considered sufficient for the purpose, and then I hope the Committee may at once proceed to business.

DR. TANNER (Cork Co., Mid) May I ask do the Government propose to keep a House to-morrow evening for the measures standing on the Order Book?

MR. SPEAKER: It is not the opportunity to ask the question now the House is engaged with Unopposed Motions.

MAIL SERVICE (IRELAND) CORRESPONDENCE.

MR. T. M. HEALY: Will the right hon. Gentleman state the grounds of his opposition to the publication of this correspondence?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): I am not in a position now to state my objection. Should the Motion be brought on earlier in the evening I would be quite prepared to do so.

PRIVATE BILL LEGISLATION (EXPENSES).

Address for Return (*Mr. T. M. Healy for Mr. Crilly*).

*SIR M. HICKS BEACH: I must oppose this, so far as it relates to railways; I do not know that it can be given.

MR. T. M. HEALY: I was informed that the Motion was unopposed. Does the right hon. Gentleman observe that in part it is a continuation of Parliamentary Papers already issued, 1886? I can understand the right hon. Baronet desires to score off me, because I opposed his Bill just now; he is welcome to that satisfaction.

*SIR M. HICKS BEACH: The hon. and learned Gentleman should understand that it is my business that only such Returns in which my Department is concerned are given which are proper to be granted.

MR. T. E. ELLIS (Merionethshire): Many Members have found these Returns for 1886 very valuable and useful, and I hope, on consideration, this Return will be given.

*SIR M. HICKS BEACH: I must object.

CIVIL SERVANTS (TENURE OF OFFICE BEYOND 65).

Moved for—

"Return of Permanent Civil Servants whose tenure of office has been prolonged beyond the age of 65 years, under the discretionary power vested in the Treasury by Clause 10 of the Order in Council of the 15th day of August, 1890, together with the reasons of such prolongation in each case."—(*Sir J. Gorst*.)

MR. T. M. HEALY: This, I presume, is the Return granted at my request. I do not know whether it fulfils the intention of the Chancellor of the Exchequer, and I think it is inconvenient that the Return should be moved, we not seeing the terms of it upon the Paper. It is not possible to follow the terms exactly when we hear them read out for the first time.

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): If the hon. Member wishes, I shall be very happy to put it down for the first day after the Recess.

MR. T. M. HEALY: Oh, but I want it. I do not object, but I complain that the terms were not put on the Paper to-day.

Return ordered—

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 141.]

ADMINISTRATION OF SMALL ESTATES IN CHANCERY.

Order [22nd March] for a Return relative thereto read, and discharged; and, instead thereof,—

ADMINISTRATION OF SMALL ESTATES IN CHANCERY.

Address for—

“Return of all Estates of the gross value of £3,000 and under administered in the Chancery Division of the High Court of Justice from the 24th day of October 1883 to the 31st day of December 1891, showing (1) the title of the Suit; (2) the date of the Order for administration; (3) the date of final Judgment; (4) the gross value of the Estate, real and personal, dealt with by the Court; (5) the total amount of Debts paid out of the Estate; (6) the total amount of specific Legacies; (7) the total amount of the taxed Costs paid out of the Estate, including Costs of both litigation and administration; (8) the total amount distributed out of the Estate to residuary Legatees, Trustees, personal Representatives, and others entitled.”—(*Mr. Duncan.*)

RAILWAY RATES AND CHARGES PROVISIONAL ORDER [FESTINIOG, &c.] BILL (*by Order*).

As amended, considered; read the third time, and passed.

INDIAN COUNCILS ACT (1861) AMEND- MENT BILL [*Lords*].—(No. 182.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday 25th April.

BURGH POLICE AND HEALTH (SCOT- LAND) BILL.—(No. 230.)

Read a second time, and committed for To-morrow, at Two of the clock.

SHERIFF COURTS (SCOTLAND) EX- TRACTS BILL.—(No. 119.)

Considered in Committee, and re-ported; as amended, to be considered To-morrow, at Two of the clock.

MARRIED WOMEN BILL.—(No. 81.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday 25th April.

GENERAL POLICE AND IMPROVE- MENT (SCOTLAND) ACT (1862) AMENDMENT BILL.—(No. 183.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday 25th April.

MOTIONS.

ELECTRIC LIGHTING PROVISIONAL ORDER (NO. 1) BILL.

■ On Motion of Sir M. Hicks Beach, Bill to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts, 1882 to 1890, relating to the Burgh of Govan, ordered to be brought in by Sir M. Hicks Beach and Sir John Gorst.

Bill presented, and read first time. [Bill 271.]

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Sir M. Hicks Beach, Bill to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Aberystwyth, Ashton-under-Lyne, Halifax, Harwich, Limerick, and Maidstone, ordered to be brought in by Sir M. Hicks Beach and Sir John Gorst.

Bill presented, and read first time. [Bill 272.]

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 3) BILL.

On Motion of Sir M. Hicks Beach, Bill to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Kil-kenny, Newbury, Sutton (Surrey), West Ham, and Woking (Horsell and Chertsey), ordered to be brought in by Sir M. Hicks Beach and Sir John Gorst.

Bill presented, and read first time: [Bill 273.]

METROPOLITAN POLICE PROVISIONAL ORDER BILL.

On Motion of Mr. Stuart-Wortley, Bill to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State under "The Metropolitan Police Act, 1836," relating to lands in the parishes of St. Mary-lebone, St. Mary Abbots, Kensington, and All Saints, Poplar, ordered to be brought in by Mr. Stuart-Wortley and Mr. Secretary Matthews.

Bill presented, and read first time. [Bill 274.]

SUPERANNUATION ACTS AMENDMENT (NO. 2) BILL.

On Motion of Sir J. Gorst, Bill to amend the Acts relating to Superannuation Allowances and Gratuities to persons in the Public Service, so far as respects the computation of successive service in different offices, where not all subject to the Superannuation Acts, 1834 to 1887, and as respects the application of section six of "The Superannuation Act, 1887," to employments of profit under the Government of India, ordered to be brought in by Sir John Gorst and the Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 275.]

POOR LAW SCHOOLS (IRELAND) BILL.

On Motion of Mr. Jackson, Bill to provide for expenses incurred by Members of Boards of Management of Poor Law District Schools in Ireland, ordered to be brought in by Mr. Jackson and Mr. Attorney General for Ireland.

Bill presented, and read first time. [Bill 276.]

ACCUMULATIONS BILL.

On Motion of The Attorney General, Bill to amend the Law respecting Accumulations, ordered to be brought in by the Attorney General and Mr. Solicitor General.

Bill presented, and read first time. [Bill 277.]

CHARITY INQUIRIES BILL.

On Motion of the Chancellor of the Exchequer, Bill to authorise the Councils of Counties and County Boroughs to contribute to the Expenses of Inquiries into certain Charities, ordered to be brought in by the Chancellor of the Exchequer, Sir J. Gorst, and Mr. Ritchie.

Bill presented, and read first time. [Bill 278.]

MERCHANT SHIPPING (FISHING BOATS) ACTS AMENDMENT BILL.

On Motion of Mr. Fenwick, Bill to amend the Merchant Shipping (Fishing Boats) Acts, 1883 and 1887, ordered to be brought in by Mr. Fenwick, Mr. Heneage, Mr. Rowntree, and Mr. Burt.

Bill presented, and read first time. [Bill 279.]

CLERGY (WEST INDIES).

Copy presented,—of Return of the Amount payable on the 5th January, 1892, out of the Consolidated Fund for Ecclesiastical Purposes in the West Indies [by Act]; to lie upon the Table.

MARRIAGES, BIRTHS, AND DEATHS (ENGLAND).

General Abstract presented,—of Marriages, Births, and Deaths registered in England in 1891 [by Command]; to lie upon the Table.

RAILWAY AND CANAL TRAFFIC ACTS, 1873 AND 1888.

Copy presented,—of Third Annual Report of the Railway and Canal Commission, with Appendix [by Command]; to lie upon the Table.

ARMY GUNS (RIFLED, IRON, AND STEEL).

Return presented,—relative thereto [Address 10th March; *Mr. Duff*]; to lie upon the Table.

EQUIVALENT GRANT (SCOTLAND) DISTRIBUTION.

Return presented,—relative thereto [ordered 6th April; *Mr. Hunter*]; to lie upon the Table.

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

MR. THOMAS ELLIS: May I ask what will be the Business to-morrow at two o'clock?

SIR J. GORST: The Report of Ways and Means, the Roads and Bridges (Scotland) Bill, the Burgh Police and Health (Scotland) Bill, the Weights and Measures (Purchase) Bill, the Short Titles Bill, and then the Motion for Adjournment.

DR. TANNER: Is it the intention of the Government to keep a House to-morrow evening? Is there any intention of putting Members to the inconvenience of attending to no purpose?

SIR M. HICKS BEACH: Certainly not, Sir.

House adjourned at half after Twelve o'clock.

HOUSE OF COMMONS,

Tuesday, 12th April, 1892.

The House met at Two of the clock.

QUESTIONS.

FARM SERVANTS WAGES.

MR. SHIRESS WILL (Montrose, &c.): I beg to ask the Lord Advocate whether his attention has been directed to recent decisions given in the Sheriff Courts of Forfarshire and neighbouring counties in regard to the administration of the law as between farmers and farm servants on the question of forfeiture of wages; whether any custom entitling farmers without express agreement to retain a portion of the wages agreed to be paid to farm servants during the first six months of a year of service, and to forfeit such portion in the event of the farm servant leaving at the end of the six months, must be immemorial, certain, and invariable both as regards the question of a right on the part of the farmers to retain a part of the wages, but also as to the amount or proportion of the wages so to be retained; and whether, in the present uncertainty of the law, he is prepared, in the interest of agriculture, to introduce any legislation on the subject?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): My attention has only been directed to the decisions referred to by the question of the hon. Member. I do not understand them to have involved any question of forfeiting wages. As I understand it, the farm servants were engaged for twelve months from Martinmas, but no stipulation was made as to paying their wages half-yearly; and I am not aware of any rule of law in such cases that they are to be so paid. It depends on practice or custom. The law as to custom affecting contracts is not uncertain; it is laid down quite clearly in the ordinary text-books. The uncertainty arises in its application to the facts; and if this causes hardship, the parties have the remedy in their own

hands by either stipulating when the wages are to be paid or by making the engagement a half-yearly one.

MR. SHIRESS WILL: I think the right hon. Gentleman has not apprehended the second part of my question, as to the custom being certain and invariable?

*SIR C. J. PEARSON: That is a pure question of law, upon which I would refer the hon. Member to the text-books.

EDINBURGH AND DUNDEE MAILS.

MR. SHIRESS WILL: I beg to ask the Postmaster General if he will consider whether the Post Office sorting van at present attached to the train leaving Edinburgh at 7 a.m. for Dundee, thus serving Fifeshire and Dundee only, and laying idle at Dundee from about 9 a.m. till about 3.30 p.m., might be continued further to the north, so as to serve Broughty Ferry, Monifieth, Carnoustie, Arbroath, Montrose, and Bervie, or some of these towns?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): Although the sorting carriage referred to stops at Dundee, bags are made up in it for places beyond that station—namely, for Broughty Ferry, Carnoustie, and Aberdeen. There will be no objection to bags being made up for Arbroath, Montrose, &c. The letters forwarded in them will not reach Arbroath and Montrose until after the morning delivery has begun, as those towns are served with their principal mails by earlier trains, but will, of course, be available for callers and for subsequent deliveries. The expense involved in running the sorting carriage beyond Dundee would be considerable, and the arrangement would not really be of any practical value.

MERCANTILE MARINE OFFICERS.

MR. BLANE (Armagh, S.) (for Mr. P. O'BRIEN, Monaghan, N.): I beg to ask the President of the Board of Trade whether he has any objection to give the names of ports in Great Britain and Ireland in which the officers of the Mercantile Marine are required to work seven hours per day, and those in which the hours are six

per day; what are the special grounds for the two sets of working hours; and are the officers who work seven hours paid better, and how much; and, if not, whether he can arrange for an all round six hours per day?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The whole question of the hours of attendance at the Mercantile Marine Offices is now under consideration, and I am endeavouring to assimilate as far as possible the conditions of service at all the ports.

POST OFFICE COUNTER DUTIES.

MR. BLANE (for Mr. P. O'BRIEN): I beg to ask the Postmaster General if he will explain on what grounds officers employed on counter duties in the Metropolitan post offices are allowed 3s. per week to cover risks of mistakes in cash transactions, while officers in the provinces, whose risks are quite as great, and whose salaries, out of which losses have to be made good, are smaller, are not given any risk allowance; and whether he will see that all officers employed on counter duties are treated alike?

SIR J. FERGUSSON: Attendance at the public counter is a recognised part of the duties of a sorting clerk and telegraphist at a provincial office, and the pecuniary risk attaching to this duty has been taken into account in fixing the wages of the class. In London the force employed on counter work is quite distinct from the force employed on sorting duties, and the rates of pay are different. Moreover counter duties in London, as a rule, are performed under much greater pressure than in provincial offices.

VIENNA POSTAL CONFERENCE.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General when the proceedings of the Vienna Postal Conference of last year will be laid upon the Table of the House; whether he is aware that these proceedings have been presented to the German Parliament; and whether the record of the proceedings will include a statement of the concessions obtained at Vienna, and referred to by the late Postmaster General as giving this country "a freer hand" in communi-

Mr. Blane

cating with the British Colonies, apart from the Postal Union; if not, whether he has any objection to append such a statement to the proceedings in question?

SIR J. FERGUSSON: It has not been customary to lay before Parliament the proceedings of Postal Congresses. The abridged Report of the proceedings of the Vienna Congress, which is the sole record of these proceedings, is written in the French language, and fills nearly a thousand large pages. It is not thought that this great mass of technical matter and administrative detail would interest the House of Commons. The Convention of Vienna, which was signed on behalf of this country, will doubtless be presented to Parliament in due course by the Treasury, but presumably not till after ratification. This Department has no knowledge of the proceedings having been presented to the German Parliament. The revised Conventions and agreements which were the outcome of the Vienna Congress have been presented. The third paragraph of the question relates to my predecessor's answer to a question on 17th July last on the results of the Vienna Congress. Mr. Raikes said nothing about a "freer hand." He said the Congress had "signed a new Convention, under which Her Majesty's Government will be free in important particulars relative to foreign and colonial postage." If that is the main purport of the question, my hon. Friend may understand that is so.

PARLIAMENTARY REGISTRATION.

MR. J. ROWLANDS (Finsbury, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will explain why it is the rule in Ireland that working men in boroughs who are duly entitled to be put upon the Parliamentary registers, under the qualification for successive occupation, are compelled to send in a claim, and to attend the Revision Court and prove the said claim, whereas in English boroughs it is usual for the overseers to put on the register persons who are qualified by successive occupation; whether he is aware that the law on this subject was discussed by the Court of Appeal in Ireland in 1889, in the case of "*Lyons v. Chambers*," when it

was decided that the law was the same in Ireland as in England; and whether the 1st sub-section of the 7th section and the 5th sub-section of the 8th section of "The Representation of the People Act, 1884," and the 3rd section of "The Parliamentary Registration Act, 1885," have been, as regards working men changing houses, put into operation in Ireland at all?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): So far as I am aware, there is no rule in Ireland under which working men in boroughs are compelled to send in a claim and attend at the Revision Court, and I may add there is no difference in the registration law between the case of working men and any other class of persons entitled to the franchise. The case of "Lyons v. Chambers" decided that a claim was unnecessary in the case of persons whose qualification depended upon successive occupation. I have no reason to suppose that the persons who are entrusted with the duty of administering or interpreting the Acts mentioned have been neglecting those duties.

MR. BLANE: Does the right hon. Gentleman imply that in the case of qualification by successive occupation persons giving notice to the Town Clerk or Clerk of the Peace get on the register in the same way as in England when notice is given to the overseer?

MR. JACKSON: I understand there is no difference in the law.

MR. BLANE: It is entirely different in practice. I know from 20 years' experience.

MR. J. ROWLANDS: Do the authorities carry out the law in the same manner?

MR. JACKSON: As I have said, I have no reason to believe they neglect their duties.

MR. MAURICE HEALY (Cork): In the case of "Lyon v. Chambers," did the Court of Appeal intimate that it was not a proper thing to put the person on the register without a claim?

MR. JACKSON: I am advised that the decision was contrary to that.

MR. BLANE: Will the right hon. Gentleman state whether the Statute and practice is not entirely different in England and Ireland?

MR. JACKSON: I cannot answer a general question of that kind. If the hon. Member will give me information as to any specific case I will make inquiries.

"CORDITE" POWDER.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Financial Secretary to the War Office whether "Cordite" powder has been patented in any foreign country; and, if so, by whom?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK, Surrey, Guildford): Patents in connection with "Cordite" powder have been taken out abroad by Sir Frederick Abel and Professor Dewar, the inventors, to protect the invention.

MR. BAUMANN, rising later, said: I wish to ask my hon. Friend the Financial Secretary to the War Office whether any arrangement has been made between the Secretary of State for War and Sir Frederick Abel as to the profits to be derived from the patent for "Cordite" powder, which, he tells me, has been taken out abroad; whether any agreement has been made as to who is to receive those profits, or whether Sir Frederick Abel himself is to be allowed to take those profits?

MR. BRODRICK: In reply to my hon. Friend, I am not aware of any such arrangement as he suggests. As regards Great Britain the patent is in the hands of the Secretary of State, and I assume that the vendor would be in the same position abroad as any other vendor.

FRANCE AND ENGLAND IN WEST AFRICA.

MR. BAUMANN: I beg to ask the Under Secretary of State for the Colonies whether he can state in what month of 1885 Sahnadoo's messenger made the statement to Major Festing, asking, on his master's behalf, that the Queen should take his territories under Her protection; whether Major Festing, in his private Report, alluded to this offer; and when this Report was received in London?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The statement was made to Major Festing on 25th August, 1885, at Freetown. I do not know to what Report my hon. Friend refers in the second paragraph of his question; but, as I stated yesterday in reply to my hon. Friend the Member for the Abercromby Division, the statement was not reported to Her Majesty's Government by Sir S. Rowe until June, 1886.

COMMANDER BETHELL (York, E.R., Holderness): I beg to ask the Under Secretary of State for Foreign Affairs whether, in any official Papers accessible to the public, there is any account of the late Major Festing's journey or journeys to the interior of the Sierra Leone district; what are the dates of Major Festing's departure or conclusion of his Mission or Missions; and whether the time has arrived when his Report may be published; and, if not, whether the Foreign Office will permit of the publication of such parts of his itinerary as are of general interest?

BARON H. DE WORMS: The reply to the first paragraph of the question is in the negative. Major Festing left Freetown on his first Mission on 8th March, 1887, and arrived there on his return on 22nd April. On the second occasion he left Freetown on 18th January, 1888, and died at Sininkoro in the Sangara country on 17th August. There will be no objection to present to Parliament extracts from his Report on his first journey. Major Festing died before making a Report on his second journey.

THE MURDER OF INSPECTOR MARTIN.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can give the names of the prisoners from Donegal who were sentenced at the Special Commission held at Maryborough in 1889, and the names of those now in prison or penal servitude; whether any arrangement was made between prisoners' counsel and the counsel for the Crown; and, if so, what was the nature of it; if he is aware that some of those Donegal peasants did not understand in the

English language the nature of the charge to which they were invited to plead guilty, or the likely consequences of such pleading; and whether, in view of the whole circumstances of the trial of those Donegal peasants at the Special Commission at Maryborough, Her Majesty's Government would terminate, after more than three years, the imprisonment of those men?

MR. JACKSON: Fifteen persons were sentenced at Maryborough in 1889, in connection with the trial arising out of the murder of District-Inspector Martin, of the Royal Irish Constabulary, County Donegal. Of the accused, eleven were sentenced to terms of imprisonment ranging from two to six calendar months, which sentences have long since expired; and four are still in custody, as follows:—William Coll, ten years' penal servitude; Patrick Roarty, seven years' penal servitude; Dominick Rogers, seven years' penal servitude; Connell Magee, five years' penal servitude. The Government are not aware of any arrangement being made between the prisoners and the counsel for the Crown; nor are they aware whether any of the convicted persons were unable to speak English; but, as a matter of fact, an interpreter was employed in Court who interpreted the evidence of the witnesses. The cases of these convicts have been recently under the consideration of the Lord Lieutenant, who sees no reason to interfere with the due course of the law.

MR. BLANE: Am I to understand that counsel made no arrangement with the counsel for the Crown similar to that which is made every day at the Old Bailey and Sessions in England?

MR. JACKSON: The Government have no information on that subject.

MR. MAC NEILL (Donegal, S.): Will the right hon. Gentleman say was not William Coll, a Catholic peasant, not being able to speak a word of English, brought from Donegal to Maryborough, when he was tried by a special jury constituted from a panel of 117, of which 44 were asked to stand aside by the Crown, and is he aware that these 44 were all Catholics, and was not this Catholic peasant Coll tried by an exclusively Protestant jury?

MR. JACKSON: I have no knowledge on these points.

MR. MAC NEILL: I have actual knowledge.

MR. P. O'BRIEN: Is it not a fact that an arrangement was made by the then Attorney General and now Lord Chief Justice? What was the nature of this arrangement under which the liberties of these men were bargained away? Yes, unquestionably bargained away. Every honest man in Donegal believes it at this day. If the right hon. Gentleman will not give me an answer now I must press this in discussion on the Estimates.

MR. JACKSON: I have given all the information I have on the subject.

MR. P. O'BRIEN: From the Lord Chief Justice?

MR. MAC NEILL: With a view to the consideration of all the circumstances, may I call the attention of the right hon. Gentleman to the fact that before the Court of Appeal it was decided by the vote of one Judge that evidence brought against William Coll was not illegal?

MR. JACKSON: I understand that the Court of Appeal decided against the prisoner, and if that is so I cannot go behind that decision.

NATIONAL GALLERY REPORT.

MR. JAMES (Gateshead): I beg to ask the Secretary to the Treasury why the Report of the Directors of the National Gallery for 1891 has not been presented; and how soon it will be laid upon the Table?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): This Report was laid on the Table on 21st of last month and is now being printed.

RIFLE RANGES.

MR. JEFFREYS (Hants, Basingstoke): I beg to ask the Financial Secretary to the War Office if he will consider whether a suitable rifle range could be found on Salisbury Plain, where the land is exceedingly cheap and sparsely populated, instead of taking the proposed 800 acres for that purpose in the New Forest?

MR. BRODRICK: Sites on Salisbury Plain have been examined, but pending the result of the inquiry into

the proposed New Forest range, which will be resumed next week, we are not in a position to enter into the discussion of other sites.

THE CONVICT EGAN.

MR. P. O'BRIEN: I beg to ask the Secretary of State for the Home Department whether he has yet re-considered the circumstances of the conviction of Mr. Egan, now confined in Portland Prison; and whether he has decided to order his release?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I have re-considered this case. The time has not yet arrived when it would be possible to advise any mitigation of the sentence.

SECONDARY EDUCATION GRANT, SCOTLAND.

MR. C. S. PARKER (Perth): I beg to ask the Lord Advocate if before the Easter Recess he will lay upon the Table a Memorandum setting forth in general terms the principles on which it is proposed to distribute the grant for secondary education in Scotland; whether in reducing the average fee of £3 it will be permissible to include children under 13; and whether it is expected that most of the schools now examined as secondary schools could afford so to reduce their fees as a necessary condition for receiving any share of the grant?

*SIR C. J. PEARSON: I will to-day lay on the Table a Memorandum setting forth in general terms the principles on which it is proposed to distribute any grant which may be allowed for secondary education in Scotland. This will be placed in the printer's hands at once for distribution on the earliest day possible. In these circumstances, it is perhaps better that I should refrain from any further statement at present as to the proposals.

SMALL ARMS FACTORY, ENFIELD.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Financial Secretary to the War Office if he will state what amount was paid in wages at the Royal Small Arms Factory, Enfield, day work and piece

work respectively, on the last pay day in March and first pay day in April, 1891, and what amounts for the corresponding periods this year, and the number of men engaged piece and day work on these dates respectively?

MR. BRODRICK: On the last pay day in March, 1891, the number of men engaged on day work at the factory was 1,029, and the amount paid in wages was £2,566; the number of men engaged on piece work for the same date was 1,765, and the amount paid in wages £2,779. On the first pay day in April, 1891, the number of men engaged on day work was 1,023, and the amount paid in wages £1,068; on piece work for the same date the number of men engaged was 1,759, and the wages paid amounted to £1,000. On the last pay day in March, 1892, the number of men engaged on day work was 990, and the amount paid in wages £1,916; on piece work, number of men engaged 1,268, and amount paid in wages £2,139. On the first pay day in April, 1892, the number of men engaged on day work was 988, and amount of wages paid £1,324; on piece work, number of men engaged 1,157, and amount paid in wages £1,598. Some disturbance was caused in the figures for 1891 by the Easter holidays.

EXCISE OFFICERS.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Chancellor of the Exchequer what reply has been made to the petition of the Excise officers sent in May last to the Board of Inland Revenue for transmission to the Treasury?

THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The Treasury in 1890 improved the Excise service at a large cost to the public. They did not, however, think it right to grant the request of the Excise officers that classification should be abolished, not so much on financial grounds, as because they are convinced of the great importance of classification for the proper discipline and regulation of this and other great branches of the Service, and for the due carrying out of the system of promotion by merit—which has always been pursued by the Board of Inland Revenue. The Memo-

rial to which the hon. Member refers repeats this request for the abolition of classification, and, after considering the matter further with the Board of Inland Revenue, the Treasury is unable to modify the previous decision.

TELEGRAPHIC COMMUNICATION WITH JAMAICA.

MR. LABOUCHERE (Northampton): I beg to ask the First Lord of the Treasury whether, before agreeing to grant an annual subsidy to the Halifax and Bermuda Cable Company for laying a cable to Jamaica, this House will be given an opportunity to express its views on this matter? I may mention that I ask this question of the right hon. Gentleman at the desire expressed by the Under Secretary for the Colonies.

SIR J. GORST: My right hon. Friend has asked me to reply to this question. He is not aware of any proposal having been made to the Treasury for any such subsidy.

MR. LABOUCHERE: Well, Sir, I am sent from "pillar to post." The Under Secretary to the Colonies told me yesterday he was aware of such a proposal, and advised me to apply to the First Lord for information about it.

SIR J. GORST: No such proposal has reached the Treasury.

DR. CAMERON (Glasgow, College): Will the right hon. Gentleman say, can such a subsidy be given without a contract being laid on the Table for the assent of the House?

SIR J. GORST: I do not like to answer a legal question, but I should say it could not without the contract being laid on the Table, as all such contracts are.

THE MANORHAMILTON GUARDIANS ELECTION.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the attention of the Local Government Board for Ireland has been called to the decisions given by the Returning Officer of the Manorhamilton Union at two of the recent Poor Law elections in that Union; whether he is aware that the Returning Officer recorded votes in favour of the Nationalist

candidates on informal statements of claim; whether he is aware that the Returning Officer omitted to issue voting papers to voters entitled to same, and, in the absence of the police, employed an inexperienced person to distribute and collect voting papers in the town of Manorhamilton, in consequence whereof voting papers were in some cases mislaid; and that the Returning Officer permitted certain persons interested in the elections to have access to the proxy papers, statements of claim, and other documents of a private nature lodged by various persons, without their first having obtained permission of the Board of Guardians in the usual way; and whether the Irish Local Government Board will, under the circumstances, declare the said elections void, and will, in the event of new elections being held, appoint an experienced Returning Officer?

MR. SEXTON: In connection with this question, before the right hon. Gentleman answers, I would ask him is it a fact that, after the elections were over, one of the defeated Conservative candidates moved, and his solicitor seconded, a vote of thanks to the Returning Officer for his conduct in this election, commending him in particular for his ability and impartiality in conducting the election?

MR. JACKSON: The hon. Member will see that it is quite impossible for me to answer that question. As regards the question on the Paper, the Local Government Board have received communications containing the objections to the return of Guardians for the Manorhamilton Union. The Returning Officer states that he did not act in the manner indicated in the second paragraph of the question; that he omitted to issue voting papers in four cases, but the persons subsequently claimed them, and duly voted. The services of the police not being available the Returning Officer was employed in accordance with the general instructions laid down in such cases. No voting paper was mislaid, nor did he permit persons interested to act as alleged. The objections made to the Local Government Board are still under consideration.

DESTITUTE IRISH POOR.

MR. P. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of the resolution passed by the Board of Guardians of Newtownards Union, in which they protest against the law of Scotland which enables the Scottish authorities to return the destitute Irish poor to Ireland who have worked all their lives in Scotland, and whether he proposes to take any, and, if so what, steps in the matter?

MR. JACKSON: A copy of the resolution referred to has been received by the Local Government Board. In regard to the general subject I fear I can add nothing to my reply to a similar question put to me on the 4th March last.

MR. McCARTAN (Down, S.): I should like to ask the right hon. Gentleman whether he is aware that this poor Irishman was deported from Scotland to the workhouse at Newtownards, where he has since died; and whether, after spending a lifetime in Scotland, he was not at the time of his deportment in a dangerous state of health; and whether the Guardians did not concur that his death was caused by his removal; and whether steps will be taken to prevent a recurrence of this incident?

MR. JACKSON: I am afraid that no steps can be taken which would prevent a recurrence. The man though he had lived in Scotland some years had not obtained a settlement, and, therefore, he could not be admitted into a Scotch workhouse.

ENGINEERS IN THE NAVY.

MR. PENN (Lewisham): I beg to ask the First Lord of the Admiralty whether, as reported in the *Times* newspaper of 6th April, it is true that the engine-room complements are being reduced at the rate of 30 per cent.; whether it is intended to deprive the whole of the cruisers of the *Pallas* class of the services of an assistant engineer; whether the artificers in the *Bellona* and *Barham* have been reduced from six to three, the difference being made good by chief stokers; whether in the *Phæbe* the number of engineer officers has been decreased from four to two,

and the artificers from nine to seven; whether the number of artificers in the *Royal Sovereign* has been reduced from 18 to 12; and whether these reductions are made by reason of the dearth of officers and artificers?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The statement that engine-room complements have been generally reduced by 30 per cent. is wholly untrue. A recent investigation of the requirements of this branch of the Service has resulted in a net reduction over the whole Fleet of 4 per cent.; but this reduction has been generally confined to the older ships, there being an increase in the complements of the modern ships. The reduction proposed in certain grades are approximately as stated, it being the intention to substitute chief stokers for engine-room artificers where experience shows that the alteration can be beneficially effected. The general scheme of engine-room complements has not been thoroughly revised for some time. The present suggestions are entirely based on their own intrinsic merit and the most recent experience, and have been in no way influenced by the supposed deficiency or redundancy of any of the existing lists of officers, artificers, or stokers.

THE IRISH MAILS.

MR. T. J. HEALY (Wexford, N.): I beg to ask the Postmaster General why the Postal Authorities consider the morning mail train from Dublin to Wexford the less important, seeing that all the English letters are carried by that train; whether he is aware that the only other mail train from Dublin to Wexford takes nine hours to perform a journey of 92 miles; and whether he is prepared to advise any increase towards the acceleration of the mail train which carries the English mails?

SIR J. FERGUSSON: The morning mail train from Dublin to Wexford conveys about half the volume of correspondence conveyed by the evening mail train, and for that reason was referred to as the less important of the two. It is true that the night mail is about nine hours on the road, there

being a break in the journey, but the train reaches Wexford at the conveniently early hour of 5 a.m. It is feared that it would be useless to reopen negotiations for an acceleration of the day mail train.

MR. T. J. HEALY: Will the right hon. Gentleman answer the paragraph which refers to the contribution?

SIR J. FERGUSSON: I have answered that several times already, to the effect that unfortunately the service is carried on at a loss, and, therefore, I cannot ask the Treasury to make any contribution.

POLICE DUTY IN IRELAND.

MR. T. J. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, at the fair held in the town of Gorey on the 2nd instant, ten policemen in plain clothes were guarding the planters who have taken the evicted farms in Coolgreany; why the police were guarding these men; and what was the cost of the extra police required for this duty?

MR. JACKSON: The Constabulary authorities report that it is the case that policemen in plain clothes were on duty at the fair mentioned, but it is not the case that they were watching the tenant farmers referred to. There was no extra cost involved by the duty beyond the subsistence allowance and travelling expenses, amounting in all to the sum of £1 16s.

MR. T. J. HEALY: Will the right hon. Gentleman say what was the necessity for guarding these men?

MR. JACKSON: No, Sir, I cannot say that.

MR. T. J. HEALY: Are we to understand that these men were boycotted?

MR. JACKSON: The hon. Member must understand nothing but what I have said.

OUTRAGES ON WOMEN IN TRAINS.

MR. ERNEST SPENCER (West Bromwich): I beg to ask the President of the Board of Trade whether, in view of the attempted outrages upon women whilst travelling by railway, he will take steps to compel Railway Companies to provide all classes of trains with compartments exclusively for the use of women, and also a method of communi-

cation with the guard in all local and stopping trains as well as expresses?

*SIR M. HICKS BEACH: I do not think I can usefully add anything to the reply I gave to a question put to me on this subject on the 4th of last month by the hon. Member for West Waterford. I then stated that I was not aware of any general deficiency in the accommodation for women travelling alone, and that none such was disclosed in the correspondence presented to Parliament in 1888. It often happens that women prefer not to travel in the carriages specially reserved for them. Efficient means of communication are now required by Statute to be provided in the case of all passenger trains which travel more than 20 miles without stopping, and, as at present advised, I am not prepared to propose an extension of the law.

SOUTH KENSINGTON MUSEUM.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Chancellor of the Exchequer whether he can now state to the House what arrangements the Government intend to make to meet the urgent necessities of science teachers at South Kensington; and whether he will appoint an Inter-Departmental Committee, including the Professors of Science at South Kensington, to consider the plans of the future buildings and the best means of utilising the available space?

MR. GOSCHEN: The first part of the question of the hon. Gentleman should be addressed either to my right hon. Friend the First Commissioner of Works or to my right hon. Friend the Vice President of the Education Department. With regard to the second, it is a matter upon which I am not able to give an answer, as I should have to consult upon the matter with the President of the Council; but I may say at once that I should not be satisfied that the Professors of Science alone should form a committee to consider the plans of the future building and the best means of utilising the available space.

DR. FARQUHARSON: May I call the attention of the right hon. Gentleman to the word "including" in the question?

MR. GOSCHEN: It is quite right that the professors should be consulted, and I hope we shall be able to satisfy the wishes of the hon. Gentleman.

MR. BARTLEY (Islington, N.): Has anything been done yet with a view of securing tenders?

MR. GOSCHEN: My hon. Friend should address his question to the First Commissioner of Works.

DR. FARQUHARSON rising later, said: May I ask the Vice President of the Council if he can answer the last part of Question 11, namely, whether he will appoint an Inter-Departmental Committee, including the Professors of Science at South Kensington, to consider the plans of the future buildings and the best means of utilising the available space?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Without notice I think I cannot answer the question.

POSTAL ARRANGEMENTS IN THE BANDON DISTRICT.

MR. MORROGH (Cork, S.E.): I beg to ask the Postmaster General whether the day postal service between Bandon and Kilbrittain, and *vice versa*, could be served by a runner, thereby giving the inhabitants of Kilbrittain as much time as they have under present arrangements between arrival and departure of the day mail; and, if so, will he waive the objection (set forth in his letter of 11th March, 1892) to altering the postal arrangements as requested by the inhabitants of Timoleague and Courtmacsherry? The hon. Gentleman also asked if the right hon. Gentleman has received a Petition from the inhabitants of Courtmacsherry, County Cork, asking that the day mails at present sent by car from Bandon to Courtmacsherry, and *vice versa*, should be sent by the Timoleague and Courtmacsherry Railway; is he aware that such change would greatly facilitate the business of traders and inhabitants of the district, by giving them extra time to answer letters between the arrival and departure of the mails; and have the Railway Company offered to carry the day mails at a price much lower than is at present paid for the service? The hon.

Gentleman further asked the right hon. Gentleman if he has read a copy of resolutions passed at a meeting of the traders and inhabitants of Timoleague, County Cork, asking for improvement in the postal service between Bandon, Timoleague, and Courtmacsherry, and *vice versa*, requesting that the day mails should be sent by rail instead of road, as at present; is he aware that large weekly markets, and important monthly fairs, are held in the town; and in view of these facts, and the general requirements of the district, will he grant the increased postal facilities asked for?

SIR J. FERGUSSON: The matters mentioned in the three questions put down by the hon. Member are now being further considered, and, as soon as a final decision can be come to, the hon. Member shall be informed of it.

KINSALE TOWN AND PIER.

MR. MORROGH: I beg to ask the Secretary to the Treasury whether the Board of Works are yet in a position to furnish the Kinsale Town and Harbour Authorities with full details of the expenditure on the Kinsale Pier and works; whether the Board will state why the contractor, who originally contracted to perform the work, was released from the contract; and what amount, if any, has been charged against the Town and Harbour Commissioners owing to the non-performance of the first contract?

SIR J. GORST: As I stated on the 25th February, I am informed that the Board of Works have not refused any information to the Local Authorities. No loss was caused by the first contractor's failure to carry out his contract, except to himself.

MR. MORROGH: I beg to ask the President of the Board of Trade whether he is aware that the refusal of the Board to grant the Provisional Order sought by the Kinsale Town and Harbour Commissioners will result in compelling the Commissioners to strike an increased rate of 2s. in the £1 for many years to come; and is he aware that many of the principal ob-

jectors to the Order have now abandoned their opposition to it; and, if so, will he undertake to re-consider the matter?

SIR M. HICKS BEACH: As I have already stated, in reply to the hon. Member for North Cork, I am fully aware of the circumstances in which the application for the Kinsale Provisional Order was made. No intimation has been made to the Board of Trade by any objector to the Order that his opposition has been withdrawn. I have directed a public local inquiry to be held at Kinsale by one of my officers on the 21st instant, when the objectors, and all those interested in the proposed increase of harbour dues, will have an opportunity of expressing their views.

SENIORITY IN THE CUSTOMS.

MR. CRAIG (Newcastle-upon-Tyne): I beg to ask the Chancellor of the Exchequer whether a Memorial, addressed to the Lords of the Treasury and bearing on a question of seniority, and which was forwarded on 9th March last to the Board of Customs for transmission to their Lordships, by certain second-class examining officers who had been formerly second-class outport clerks, had been received by their Lordships?

MR. GOSCHEN: I am informed by the Board of Customs that they are unable to support the Memorial in question, and that, therefore, they have not forwarded it to the Treasury.

SCOTLAND AND THE LABOUR COMMISSION.

MR. SEYMOUR KEAY (Elgin and Nairn): I beg to ask the Secretary to the Treasury whether a Special Commissioner has yet been appointed by the Labour Commission to inquire into the condition of farm servants in Scotland; and will the said Commissioner hold sittings at the different agricultural centres and at other suitable places throughout the rural districts in Scotland?

SIR J. GORST: No such Commissioner for Scotland has yet been appointed by the Labour Commission.

Mr. Morrogh

SENTENCE ON A POACHER.

MR. SEYMOUR KEAY: I beg to ask the Lord Advocate, with reference to the case of the son of a crofter, who, on 29th March, pleaded guilty to a charge of night poaching before the Sheriff Substitute at Nairn, is he aware that the accused's father is 72 years of age, and very frail, and that his son now in prison is, in point of fact, his sole support, and that the whole district had been covered with snow, accompanied by a severe frost, for more than two months when the offence was committed; also, that the previous charge made against the accused of poaching took place about 20 years ago; is he aware that when the accused was first charged with the present offence at Nairn on 26th March, he pleaded not guilty, that he was then sent to Inverness Prison for three days, and that he pleaded guilty when again brought up at Nairn on the 29th, in consequence of messages received through his brother from the Procurator Fiscal, stating that, if he did not do so, an additional charge—namely, of assault, would be preferred against him, whereby his punishment would be increased; is he aware that the Judge stated from the Bench that the law gave him no option to pass any sentence on the accused other than imprisonment, and to find caution; and whether he will make further inquiry, and, if the above statements are substantiated, take any steps which may be open to him for a revision of the sentence?

*SIR C. J. PEARSON: It does not rest with me to revise the sentence; but if the hon. Member will be good enough to communicate to me the information in his possession and the source of it, I will gladly consider whether it is a case for further inquiry.

BOARD SCHOOL ACCOMMODATION AT TOTTENHAM.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education whether the School Board for Tottenham has been authorised by the Department to reckon its school accommodation at eight square feet instead of ten per child in average attendance; whether he is aware that in Noel Park School

under that Board the girl's department with places for 400 at ten square feet, or 500 at eight square feet, has had recently 667 on the register, with an average attendance of 556 during one week, a highest attendance of 580, and an average for the whole of last quarter of 511; and whether he will cause inquiry to be made into the circumstances, and discourage such overcrowding?

SIR W. HART DYKE: The hon. Member is probably aware that the question of the school accommodation has for some time been urgent at Tottenham, and that the Department recently took the extreme step of declaring the School Board in default. The present Board is working energetically to repair the neglect of its predecessor, and it is only pending the supply of the deficiency in the neighbourhood of the Noel Park School that the Department has, under the power given by Article 85 of the Code, temporarily sanctioned the accommodation in the girls' school being calculated at eight instead of ten square feet. I am not aware that the school has been crowded to the extent which the hon. Member believes, but the grant will be endangered if the average attendance for the year is allowed to exceed 500.

MR. PICTON: For how long has the rule been suspended?

SIR W. HART DYKE: I cannot say without inquiry the exact time, but some months at all events.

MR. PICTON: Is accommodation being provided now?

SIR W. HART DYKE: Yes; we are getting on as quickly as possible.

THE MOVEMENTS OF TROOPS.

MR. THEOBALD (Essex, Romford): I beg to ask the Secretary of State for War whether his attention has been drawn to the statement in one of the daily papers that the 2nd Battalion Essex Regiment, the 56th Pompadours, have, since the year 1800, been at home only 15 years; and, if so, whether arrangements could now be made for them to return to England this year (after ten years' service in the Mediterranean) instead of being sent on to either India or Singapore as at present contemplated?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The statement referred to is not correct. The 2nd Battalion of the Essex Regiment has been at home for 26 years in the present century. There are 31 battalions now abroad, which went on foreign service before the 2nd Battalion Essex Regiment; and, having in view the necessity of relieving battalions by their sister battalions, it would disturb the roster too much to bring it home so long before its turn.

THE INDIAN COUNCILS BILL.

MR. SEYMOUR KEAY: I beg to ask the First Lord of the Treasury whether he can engage that the Indian Councils Bill will not be taken before the 28th instant, in order that Members interested in it may be able to be present?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): No; I am afraid I cannot enter into any engagement of the kind referred to in the question of the hon. Member, because I hope to be able to take the Indian Councils Bill on Monday week, that measure not being, in my opinion, a contentious one.

THE CONVICTION OF ANARCHISTS AT STAFFORD ASSIZES.

MR. DARLING (Deptford) had the following Question on the Paper:—To ask the Attorney General whether his attention has been called to attacks upon Mr. Justice Hawkins and others whose duty necessitated their taking part in the conviction and punishment of certain persons tried at the last Assizes at Stafford for being in possession of bombs and other explosives intended to be used for criminal purposes; if he has considered whether the attacks made in a newspaper called *Commonweal* constitute a criminal offence; and whether it is the intention of the Government to prosecute the publishers and printers of such attacks as incite to the murder of those who are engaged in the administration of justice, in view of the attempts by Anarchists to murder Judges in France? The hon. Member said:—I have a Question upon the

Paper addressed to the right hon. Gentleman the Attorney General, but I do not see the Attorney General present. Perhaps I might ask either the First Lord of the Treasury or the Home Secretary whether his attention has been called to the attacks made by an Anarchist newspaper upon those who are called upon to administer justice in regard to the Anarchists in this country, and whether these attacks will be permitted to go unpunished, or whether the law of the land will be put in force against those who make them?

MR. A. J. BALFOUR: My hon. and learned Friend the Attorney General is not in his place, and I am sorry to say I cannot answer the question.

BUSINESS OF THE HOUSE.

MR. J. LOWTHER (Kent, Thanet): I beg to ask the First Lord of the Treasury in what order he proposes to take the business on the Paper to-day in relation to the Motion for Adjournment for the holidays?

MR. A. J. BALFOUR: The Government have no choice but to take business in the order in which it stands on the Paper. The Motion for the Adjournment will be made after the Government Orders have been disposed of. The Orders as they appear on the Paper cannot be departed from.

MR. J. LOWTHER: I am afraid the right hon. Gentleman did not understand my question. I wished to know at what hour he intends to make the Motion for the Adjournment over the holidays?

MR. A. J. BALFOUR: I beg the right hon. Gentleman's pardon. I think we ought to be able to make the Motion for Adjournment about half-past five o'clock.

MR. T. M. HEALY (Longford, N.): I wish to ask the Government if they are serious in putting down for the Committee stage to-day a Bill containing over 500 clauses—the Burgh Police and Health (Scotland) Bill? Do they intend us to deal with a Bill of this enormous magnitude before the Motion for the Adjournment is made? The usual practice is for the Government to make the Motion for the Adjournment at the commencement of

Public Business, and I may say that I have given notice that it is my intention, on the Motion being made, to call attention to the conduct of the Lord Chancellor of Ireland in connection with the candidature of an Irish Conservative.

MR. A. J. BALFOUR: I have directly followed precedent in this matter. The hon. and learned Gentleman should know that the invariable practice has been not to put down the Motion for Adjournment over the holidays first, but to take some business before it. The particular Scotch Bill which has been referred to only passed the Second Reading yesterday, and if any desire is expressed by the Scotch Members for longer time to consider it that desire will certainly be acceded to by the Government, and we should not think of pressing the Bill. The Bill is a very long one, but hon. Members on both sides are agreed upon many of its conditions and we hoped it might pass to-day. There will, however, be no attempt to force the House to discuss a measure of this character. With regard to the other measures they ought not to take up much time; and as to the speech of the Lord Chancellor of Ireland, I think an hour and a half ought to be enough for its discussion. Beside this, the House will only take non-contentious business.

MR. MAC NEILL (Donegal, S.): Will the right hon. Gentleman reconsider his decision about the Indian Councils Bill? There are Amendments to it of very considerable importance, and if he presses it on Monday he will not facilitate business.

MR. LABOUCHERE: What business is to be taken on the first Monday after the Recess?

MR. A. J. BALFOUR: My intention is to take a number of non-contentious Bills on Monday. The Burgh Police (Scotland) Bill is to be put down first, and probably the Indian Councils Bill. I entirely sympathise with the point of view of some hon. Members with respect to this measure; but something must be put down for the first day that we meet, whether it be Supply or a Bill, and as it requires some discussion it may perhaps be inconvenient to have it put down for that day. Neither theory nor practice seems in favour of putting

down Supply, and I have endeavoured to put down non-contentious business.

MR. LABOUCHERE: I understand, then, that effective Supply will not be put down for Monday?

MR. A. J. BALFOUR: Not as the first or second Order.

MR. ESSLEMONT (Aberdeen, E.): Has it not been the practice of the House not to take Scotch business the first day after the Recess, especially if that day is a Monday? If a Scotch Bill is put down for Monday, the Scotch Members will have to travel on Sunday, because many of us have to come over 500 miles.

MR. A. J. BALFOUR: I agree that it would be more convenient if possible to take wholly non-contentious business than such Scotch Business as the hon. Gentleman refers to; but, as the hon. Gentleman is aware, this is an important Bill, which Scotch Members are very anxious to pass, and which is not a Bill that requires great discussion, and which might be squeezed out altogether if I did not take every opportunity of pushing it forward. In the interests of the Scotch Members themselves, and of the constituencies which they represent, I would therefore ask them, if possible, to deal with this Bill on the first Monday on which we sit after the Recess. The hon. Gentleman will see that this course is proposed to be taken not so much in the interest of the Government as in the interest of the Scotch Members themselves.

IRISH BUSINESS.

MR. SEXTON: I wish to ask the First Lord of the Treasury if he can give us some idea of the course of Irish Business in the first week after the Recess. I do not ask about the Irish Local Government Bill because it now possesses only a historic interest. But I should like to know whether the Irish Education Bill is likely to be proceeded with, and the Second Reading taken in the first week after the Recess; and any Irish Supply?

MR. A. J. BALFOUR: I do not think we propose that any Irish Business should be taken that week, unless, perhaps, with the possible exception of the Bill in Committee on the financial relations between the two countries.

The first Order of the Day on Thursday will be the discussion on the Budget-in Committee. But with that exception we shall neither take Irish Estimates nor Debates on Irish Bills.

CRIMINAL LAW AMENDMENT BILL.

MR. T. M. HEALY (Longford, N.): I should also like to make an appeal to the First Lord of the Treasury with regard to the Criminal Law Amendment Bill, and would ask him not to take that Bill in the first week after the Recess.

MR. A. J. BALFOUR: In answer to the appeal of the hon. Gentleman I wish to say I am ready to give way to it. I hope after the time that will elapse he will not require long notice to be given of the day on which it is to be taken.

MR. T. M. HEALY: I am much obliged to the right hon. Gentleman.

THE BUDGET STATEMENT.

SIR W. B. BARTTELOT (Sussex, North-West): I should like to ask the right hon. Gentleman the Chancellor of the Exchequer if he would have the additional figures, which he gave the House last night, inserted in the statement which the right hon. Gentleman had got printed and placed in the hands of hon. Members last night? There are two columns in that statement not filled up.

MR. GOSCHEN: Certainly, I will take care that that shall be done.

ORDERS OF THE DAY.

WAYS AND MEANS.

Resolution [11th April] reported.

"That, instead of the Duty on Wine imposed by 'The Customs (Wine Duty) Act, 1888,' there shall be charged and paid the Duty following (that is to say):—

Sparkling Wine imported in bottle . the gallon . two shillings.

This Duty is to be paid in addition to the Duty in respect of alcoholic strength payable under 'The Customs Amendment Act, 1886,' and without reduction."—(*The Chancellor of the Exchequer.*)

(3.5.) DR. CLARK (Caithness): On that point I should like to ask for some further information from the Chancellor of the Exchequer. I am in favour of *ad valorem* duties, and I think there

should be some proportion between the cost of articles and the duties paid by them. I know that the right hon. Gentleman is opposed to *ad valorem* duties. In the case of the best champagne, for instance, and the best cigars, the duties should be proportionately higher than on the less expensive descriptions. I think the dearer wines and alcohol should pay a greater duty in proportion to the cost, and that this differential duty should entirely disappear.

(3.6.) THE CHANCELLOR OF THE EXCHEQUER (MR. GOSCHEN, St. George's, Hanover Square): The hon. Gentleman suggests that I am opposed to *ad valorem* duties. I am not so entirely opposed to the principle of *ad valorem* duties; but in practice I regret very much my experience shows a difficulty in carrying it out in these particular cases. With regard to wines, the difficulty is in ascertaining the exact value. Some persons say wine ought to be valued at the selling price. What is the selling price of wine? It is extremely difficult on the one hand to ascertain what the price is between the importer and the exporter; and, on the other hand, it is extremely difficult to ascertain the true market value. The hon. Gentleman suggests that the cheaper champagne is chiefly consumed by the middle classes, but I am inclined to think that the cheap wine is to a large extent ultimately sold as a very dear wine. The hon. Gentleman is not right in saying that I am opposed to *ad valorem* duties; but it has been a source of anxiety to me for a considerable time how to devise the means of charging dear wine a higher duty than the cheaper sort, and so to make the change which he asks me now to make.

(3.7.) MR. CRAIG (Newcastle-upon-Tyne): I wish to ask the right hon. Gentleman whether he has not found that he has committed what I may call an international blunder in setting up a differential duty which operates chiefly against the French producer. I cannot understand why this champagne should have a higher duty imposed upon it than the Johannisbergs, and the more expensive clarets and burgundies which come into this country. Champagne

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originally paid half-a-crown, but now, by the operation of the system which the right hon. Gentleman introduced, good champagne pays 5s. and inferior champagne pays 3s. 6d. I wish to ask the right hon. Gentleman whether he cannot see his way to retrace his footsteps and go back to the principles of his youth, and adopt Free Trade pure and simple?

(3.8.) MR. GOSCHEN: It is only by the courtesy of the House that I am allowed to answer the hon. Gentleman. I cannot for one moment admit that I made a huge mistake in imposing the duty on champagne. It must be remembered that it was imposed upon a foreign article which is distinctly one of luxury. Four years ago the House declined to allow me to charge higher duties on the sale of Rhine wines and clarets as well. The House thought fit to differ from me on that point; and we may conceive what would have been the result of that higher duty on all these wines from the fact that this duty on champagne has for the last four years running produced £150,000 a year.

Resolution agreed to.

Bill ordered to be brought in by Mr. Courtney, the Chancellor of the Exchequer, and Sir J. Gorst.

**ROADS AND BRIDGES (SCOTLAND)
ACTS AMENDMENT BILL [LORDS]
—(No. 232.)**

COMMITTEE.

Order for Committee read.

*(5.9.) MR. MARJORIBANKS (Berwickshire): I beg to move

"That it be an Instruction to the Committee that it have power to further amend section fifty-eight of 'The Roads and Bridges (Scotland) Act, 1878,' by enabling county road boards, under certain conditions, to construct and maintain roads and bridges for the benefit of their county within the territory of a neighbouring county, provided the consent of the County Council of the latter county be first obtained."

In explanation of this Instruction I may state that, with regard to the more remote portion of the counties in Scotland, it often occurs that a county or part of a county requires an outlet, say to a railway station, and in order to get that outlet it has to traverse a portion of the territory of the neighbouring

county. As the law now stands there is no power for the county requiring the outlet to construct and maintain a road or bridge in the territory of the neighbouring county. I think it will be granted that such a power is desirable, and I therefore move this Instruction without further comment.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that it have power to further amend Section 58 of 'The Roads and Bridges (Scotland) Act, 1878,' by enabling County Road Boards, under certain conditions, to construct and maintain roads and bridges for the benefit of their county within the territory of a neighbouring county, provided the consent of the County Council of the latter county be first obtained."
—(Mr. Marjoribanks.)

*(3.12.) THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews, Universities): In assenting to this Instruction as a reasonable one, I only desire to say that I do so in the belief that it will not in any way delay the Bill, which is one of considerable urgency.

Question put, and agreed to.

Bill considered in Committee.

(In the Committee.)

Clause 1.

*(3.15.) MR. HOZIER (Lanarkshire, S.): I understand that this clause is to enable the County Council to approve of a resolution to re-build any bridge that may be destroyed or seriously injured by flood, fire, or other sudden calamity, at any meeting called for the purpose. Would not the right hon. Gentleman make some change with regard to the meetings at which the Resolutions are to be approved?

*(3.16.) SIR C. J. PEARSON: I could not assent to the hon. Member's suggestion. The October meeting is the one at which the Road Trustees transact their important business, and it was thought right in 1889 that that meeting should be retained as one for the ordinary business of the county; and this Bill, while accepting that situation, introduces a special meeting by special notice only for the purposes set forth in Clause 1—that is to say, for the purpose of dealing with the cases of bridges which have been destroyed by flood, fire, or other sudden calamity. I could not now

assent to make a change generally, because I think there is a great deal to be said against allowing the repair or the re-building of bridges, which has for a long time been in contemplation, to be the subject of special meetings. These matters might well be relegated to the October meeting.

Clause agreed to.

Remaining Clauses agreed to.

New Clause—

"Notwithstanding the terms of Sub-section 16 of the Local Government (Scotland) Act, 1889, any assessment leviable under Section 58 of the Roads and Bridges (Scotland) Act, 1878, for the re-building of bridges destroyed or injured as in the preceding sections mentioned may be imposed and levied as the County Council may determine, either on the county (subject to the provisions as to the insular districts contained in the said section) or on the district or districts within which such bridge is situate, partly on the county and partly on such district or districts, and such assessments shall be paid one-half by the proprietor and the other half by the tenant or occupier of the land and heritages on which the same shall be imposed, provided that nothing in the Local Government (Scotland) Act or this Act shall prejudice the power of borrowing for the purpose of such re-building conferred by Section 58 of the Roads and Bridges (Scotland) Act, 1878, and any assessment in respect of such borrowing may be imposed and shall be payable as under the section before mentioned,"—*(The Lord Advocate.)*

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. CRAWFORD (Lanark, N.E.): I wish to ask the Lord Advocate whether the effect of the clause will be to make any difference in the incidence of rating between owners and occupiers?

*SIR C. J. PEARSON: No, Sir. I am not aware that the clause will have any such effect. It will give the County Council power to lay the cost of re-building the bridge upon the district within which it is situated, and to confer upon them the power to lay the cost partly on the county and partly on the district.

Question put, and agreed to.

Clause added to the Bill.

New Clause—

"Where the Road Board of a county shall, with the approval of the County Council, enter into an agreement with the County Council or

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Road Board of an adjoining county for the construction of any new road or bridge, under Section 58 of 'The Roads and Bridges (Scotland) Act, 1878,' and the portion of the new road or bridge situate in the latter county shall be made and maintained for the benefit of the former county, it shall be competent to impose and levy the assessment for defraying the expense of the construction and maintenance of the portion of the new road or bridge situate in the latter county upon and from the persons liable to be assessed for the construction and maintenance of new roads or bridges in the former county, in the same manner and with the same powers of recovery as if the whole of the new road or bridge had been situate in the former county,"—*(Mr. Marjoribanks.)*

—brought up, read the first and second time, and added to the Bill.

House resumed.

Bill reported; as amended, to be considered upon Monday, 25th April, and to be printed. [Bill 291.]

BURGH POLICE AND HEALTH. (SCOTLAND) BILL.—(No. 230.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(3.23.) DR. CLARK (Caithness): This Bill was read a second time last night after twelve o'clock, and we had not time to then discuss it. Indeed, I did not know that it had been read a second time until I saw the report this morning in the papers. We ought to have a separate Public Health Bill for the whole of Scotland, for the counties as well as the burghs, as is the case in England. I shall now move to report Progress, in order to call attention to this matter. The Bill requires to be greatly altered, but we have not yet had time to put Amendments down upon the Paper. Altogether the Bill contains 560 clauses, and it can only be passed by striking out the whole of the Public Health Clauses. It entirely transforms our Burgh Law, our Police Law, and our Public Health Law. Under the circumstances, I think it is only reasonable that an opportunity should be given us of putting Amendments upon the Paper.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—*(Dr. Clark.)*

(3.28.) MR. ESSLEMONT (Aberdeen, E.): I hope the Motion for Adjournment will not be persevered with strongly. Three years ago a Committee was appointed to deal with this Bill, and they sat for three months. It is true that some changes were then made in it of an important character relating to rating, but they all came within small dimensions, and they might be discussed in a very short time. I deprecate very strongly the idea that has been suggested that the Public Health Clauses should be taken out of the Bill. The fact is that the Public Health Clauses are the most important clauses in the Bill, and it would be hardly fair to those who represent Scotland to take them out of it. I hope my hon. Friend will allow the non-contentious clauses to go through Committee, and to leave over those upon which there should be some discussion till Monday week. Opportunity would then be afforded to the hon. Member of putting down such Amendments as may be considered necessary.

(3.30.) MR. MARJORIBANKS (Berwickshire): I hope the Motion for Progress will not be persevered with. It is perfectly true that upon all the clauses there is not general agreement; but what I would impress upon my hon. Friends is this—to take a broad and a friendly view of the measure, and to allow us to go through Committee as far as possible to-day. I may say that I had a conversation with my right hon. Friend the Member for Midlothian, and that he is very anxious to see this Bill carried through. That being so, I am sure my hon. Friend will be willing to accede to the wish thus expressed, and will withdraw his Motion.

MR. A. J. BALFOUR: I understand the objections of the hon. Member for Caithness to be confined to certain clauses, and I would suggest, without discussing the value of those objections, that we might be allowed to take the less contentious clauses to-day. On the part of the Government I would be glad to postpone any clause to which objection is taken.

DR. CAMERON (Glasgow, College): It is perfectly impossible, when clauses are being read from the Chair, for hon. Members to formulate their objections. I have no objection to the Bill as a whole—certainly not to three-fourths

or four-fifths of it; but there are in the Bill a number of things to which I have a very strong objection. For instance, in casually reading the Bill this morning, I came across one clause which completely alters the entire principle of the law relating to the abolition of imprisonment for debt in Scotland, and I am sure that this result was not intended by those who drew this Bill. I wish to point out the great inconvenience of the course adopted by the Government with regard to this Bill. I know that many hon. Members who might have an objection to the details of the Bill agreed to raise no objection to the Second Reading if the Government allowed a reasonable time to elapse before taking the Committee stage, so that they might look into the matter. Like my hon. Friend the Member for Caithness, I was prepared to move an Instruction to the Committee to the effect that the Committee have power to divide the Bill into two different portions. There was, however, no opportunity given so that I might put down such an Instruction. There is one body of men in Scotland who may be considered as pre-eminently entitled to be consulted in any matter connected with public health, and that is the Association of Medical Officers in Scotland. Those gentlemen have stated their objection to the question of the law relating to public health in Scotland being treated in the manner proposed in this Bill. They say that the Bill, if it is to be passed at all, should apply all round, and that the larger towns should not be excepted. They complain that, this Bill having only been printed a few days ago, they have had no opportunity of seeing its provisions. One of their objections to the Bill is that it proposes to alter the position of Officers of Public Health in Scotland as defined by the Local Government (Scotland) Act. If the Bill had been divided into two parts, the non-contentious matter might have been disposed of at once. But there is another inconvenience. It is proposed that the Bill should be put down for Monday week. Having regard to the Adjournment of the House until that day, it must inevitably happen that when the Bill is then brought forward a large number of Amendments will be handed in in MSS. I do not think

that is a system of legislation which can commend itself to the House. Now, Sir, my hon. Friend below me intends to move to include Glasgow in the Bill. On that point, I will only say that while I could tolerate the Bill as long as it does not apply to the City which I have the honour to represent, I should certainly offer the strongest possible objection to Glasgow being placed under this Code without due notice.

MR. R. T. REID (Dumfries, &c.): I want to say a word on behalf of the small burghs, who really do want this Bill. Glasgow is not affected by the Bill, or if it is affected it is in so minute a way as to be imperceptible. In the small burghs people, without distinction of Party, are deeply anxious that this Bill should be passed. It has been ten years before the House. It has been printed I do not know how many times at great public cost, and over and over again for no reasonable purpose it has been objected to. Two or three years ago we got through Committee, and further progress was stopped, not by any representative of a constituency affected by the Bill, but by the hon. Member for St. Rollox, who put down 15 pages of Amendments which made it impossible to pass the Bill. Now we have the hon. Gentleman who represents the College Division objecting on the same grounds.

DR. CAMERON: I did nothing of the sort.

MR. R. T. REID That is the kind of objection by which this Bill is being met. My hon. Friend the Member for Caithness no doubt represents a burgh that is affected. I am sure there is no desire to deprive him of an opportunity of moving his Amendments. But the First Lord has made a reasonable offer; he says that if any clause is objected to, it will be postponed, and ample opportunity given for its discussion. Why, then, should we not proceed with the Bill? There may be objections on some points, but the substance of the Bill is most acceptable to the constituencies, and is earnestly wished for.

MR. CALDWELL (Glasgow, St. Rollox): The reason I objected some years ago was this: The Government was going to introduce a Local Government Bill which would transfer the

administration of matters connected with public health to the County Councils. It was simply a matter of convenience. Now that the Local Government Act has passed, I may say that personally I have no objections to this Bill. At the same time, I would point out to the Government the extreme inconvenience of mixing up in one Bill questions connected with the police and with public health. If there is to be an amendment of the Public Health Act it should be done by a separate Bill. To apply to burghs a rule different from that obtaining in counties will make the Public Health Act unworkable.

DR. CLARK: I would have no objection to the proposal of the First Lord if I saw how it could be carried out. But I notice that in the 4th clause it is proposed to substitute the word "Commissioners" for "Town Councils." We do not want that new-fangled word, and if it is not left standing then the phraseology of all the later clauses will have to be altered. Again, it is proposed that certain burghs should be exempt. Greenock is to be exempted, but Leith and Paisley and Govan are taken in. We want a uniform Police Law.

MR. MUNRO FERGUSON (Leith, &c.): If, as has been said, there are few hon. Members present, it is because they do not desire to discuss in detail this Bill, and because they know that the Town Councils are anxious that the Bill should pass. I hope the Amendment will not be pressed. I can understand that it would be desirable to have some changes respecting the Public Health Act in counties. I do not see how it is likely we shall have a more favourable opportunity of passing the Bill than we shall have this afternoon. It will be a matter of the deepest regret and concern to all the small burghs in Scotland if anything is done to hinder the passing of this Bill. We are all of one mind on the subject, and it is very hard that the safety of this Bill should be endangered by the Representatives of constituencies which are hardly affected by it at all. There is nobody whatever against this Bill, and I earnestly hope our reputation for common sense will not be taken away by any senseless opposition to the Bill.

(3.55.) MR. SINCLAIR (Falkirk, &c.): I would remind the hon. Member for Caithness, with reference to the postponement of Clause 4, the Definition Clause, that that was the very course adopted in the Committee, and why should we not postpone the Clause now? As representing five of the burghs in Scotland which will be affected by this Bill, I can speak as to the feeling which exists in favour of its passage into law, and I most sincerely hope the advice which has been tendered to this House through the right hon. Gentleman the Member for Midlothian, who wishes to assist in the passage of this Bill, will be accepted by all sides of the House.

(3.57.) MR. ESSLEMONT (Aberdeen, E.): With regard to the Definition Clause, I do not think there is any serious objection on the point as to whether those gentlemen should be called Town Councillors or Commissioners. What we are concerned about is the law under which they are going to administer the affairs of the burghs.

DR. CLARK: I have no objection to go on as far as we can until we come to the contentious matter, but then as soon as we get there we may go on to subjects which are not dealt with in this clause.

Motion, by leave, withdrawn.

Clauses 1 to 3 agreed to.

Clause 4.

DR. CLARK: I move that the clause be postponed.

Clause postponed.

Clause 5.

DR. CLARK: This clause raises a question of principle whether the Bill shall apply to the whole of the burghs of Scotland, or whether a number of burghs shall be exempted. I beg to move that this clause be postponed.

Clause postponed.

Clauses 6 and 7 agreed to.

Clause 8.

MR. CALDWELL (Glasgow, St. Rollox): I beg to move the Amendment which was moved previously—

“After ‘situated’ insert ‘Members of Parliament for burghs wholly or partly within the county and Councils of burghs within the county.’”

Question proposed, “That those words be there inserted.”

MR. A. J. BALFOUR: I would ask the hon. Gentleman to remember his attitude towards the Bill, and to consider whether it is desirable to take this Amendment now. I hope he will take another occasion for bringing it forward.

MR. CALDWELL: If time be allowed for the purpose of making other Amendments I certainly, for my part, will not put down one single unnecessary Amendment. I have no intention of interposing any obstacle to the passing of the Bill, but I would appeal to the Government to give time for the consideration of Amendments.

MR. ESSLEMONT: I hope my hon. Friend in moving his Amendments will only press matters of principle.

MR. R. T. REID (Dumfries, &c.): The hon. Member should put the saddle on the right horse.

THE CHAIRMAN: Order, order!

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 9 to 14, inclusive, agreed to.

Clause 15.

DR. CLARK: I beg to move that the clause be postponed.

Clause postponed.

Clauses 16 to 27, inclusive, agreed to.

Clause 28 postponed.

Clauses 29 to 35, inclusive, agreed to.

Clause 36.

DR. CLARK: This clause limits the number of Magistrates of burghs according to population. We think that two Magistrates are not sufficient for some of the burghs, and I move that the clause be postponed.

MR. ESSLEMONT: The smallest burghs have 7,000 of a population. I should think two Magistrates would be sufficient for such burghs, and I have heard of no wish from any burgh whatever that the number of Magistrates should be increased.

DR. CLARK: It is with reference to burghs between 10,000 and 15,000 that this matter is contentious. There was a division in the Committee on the matter, and a strong feeling about it.

Clause postponed.

Clauses 37 to 41, inclusive, agreed to.

Clause 42.

DR. CLARK : This clause affects one of the burghs which I represent, where we have two classes of Magistrates, Police Magistrates, and Burgh Magistrates. I think this clause wants amendment, as it does not meet the case entirely, and I move that the clause be postponed.

Clause postponed.

Clauses 43 to 45 agreed to.

Clause 46 postponed.

Clauses 47 to 59, inclusive, agreed to.

Clause 60 postponed.

Clauses 61 to 74, inclusive, agreed to.

Clauses 75 to 77 postponed.

Clause 78.

(4.8.) MR. CRAWFORD (Lanark, N.E.) : This clause deals with a population of not less than 25,000. I beg to move, as an Amendment, in page 3, line 8, after the word "thousand," to insert the words,

"or at any time it is proved to the satisfaction of the Sheriff that they have a population of 20,000."

Question proposed, "That those words be there inserted."

(4.9.) DR. CLARK : If this had come on in the usual fashion the hon. Member's Amendment would have been on the Paper, and we would have known what it meant. I object to anything of this kind being done without notice, and I think the Amendment should be put on the Paper, so that we may know what we are doing.

MR. PROVAND : I hope my hon. Friend will not press the Amendment now.

MR. BARCLAY : This Amendment is to alter the population of the burghs, and it will give rise to considerable discussion.

Amendment, by leave, withdrawn.

Clause postponed.

DR. CLARK : The Government have now got two portions of their Bill, and Parts 3 and 4 raise the questions of the Police Force and the Public Health Clauses, which I think require further

time for consideration. To these clauses also there are a great number of Amendments. I, therefore, move that you do report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

MR. R. T. REID : I hope the hon. Member will not press his Motion, but let us get on with the Bill, in which the burghs I represent are deeply interested.

MR. ESSLEMONT : I hope my hon. Friend will not press the Motion.

DR. CLARK : In these clauses there are several powers given which I do not think ought to be given. I think it would be a reasonable compromise to take up to Clause 99, the end of Part 3 of the Bill. Beyond that the clauses are bristling with pains and penalties, and we ought not to allow the Criminal Law to be altered in this way without full and free discussion. If the right hon. Gentleman will take up to Clause 98 that will give him the machinery, and leave the clauses beyond, which deal with the incidence of the taxes and lighting, and will then report Progress, I will withdraw.

MR. R. T. REID : I hope my hon. Friend will not persist. How, in the name of common sense, are we to pass this Bill till the crack of doom if there are constant Motions to report Progress? The Bill is of great magnitude, and to apply the process of dealing with ordinary Bills would render its passage impossible. When I observe that those who are the subjects of the clauses imposing penalties are themselves anxious and pressing for them to be passed, and that the objection comes almost wholly from those who have select penal clauses of their own, it is impossible to reconcile their proceeding with a sincere desire to pass the Bill.

DR. CAMERON : I think progress would be facilitated if my hon. and learned Friend would abstain from indulging in unnecessary lectures. He previously said that my object in resisting the progress on the Bill was to enable me to put down 15 pages of Amendments. I never put down 15 pages of Amendments to a Bill in my life. I have been silent while 70 or

80 clauses have been passed, waiting till I have some Amendment to propose—and surely that is a guarantee that I have no desire to place a mechanical obstacle in the way of the Bill. The First Lord of the Treasury feels the importance of these clauses as he intends to give an opportunity of discussing them, and I shall feel bound to offer some remarks on the clauses in Part 4.

MR. ROBERTSON (Dundee): I want to make a suggestion which may help matters. I propose that we shall proceed with the Bill avoiding all discussion to-day, postponing all contentious clauses.

MR. A. J. BALFOUR: That is the offer I made to the Committee two hours ago.

MR. CRAWFORD: I think my hon. and learned Friend had the opportunity of raising every one of these points before the Committee which sat for eight weeks in the summer, and he carried as many of his points as any individual of the House could expect to do. It is true that if my hon. and learned Friend persists in raising these points it will make legislation impossible. I think it a little unfair of the hon. Member for Glasgow (Dr. Cameron), whose constituents have insisted on being exempted from the Bill, to resist the wishes of the overwhelming majority of the Scotch Members in this House, and of the small burghs of Scotland to whom the passing of the Bill is very important.

MR. A. J. BALFOUR: If we carry out the principle that every clause to which objection is made be postponed we should get on better. I shall have to cut this discussion short, having regard to the other business of the House, but we have still a little time left for it.

MR. T. P. O'CONNOR (Liverpool, Scotland): I want to raise an objection to this Bill being scamped in this way. In the Bill many precedents will be set which it may be attempted to apply to Ireland, and we ought, therefore, to give more time to the consideration of them. It is an absolute piece of humbug and bunkum trying to rush this Bill through in an afternoon, to meet the exigencies of an already defunct Government.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): We might proceed to

Clause 104, and then postpone the rest. I am glad to have heard this discussion, which shows that the voice of Scotland is not unanimous, as that is in favour of Scotch Home Rule.

THE CHAIRMAN: Order, order! Does the hon. Gentleman withdraw his Motion?

DR. CLARK: There is Clause 83, the Coercion Clause, on which I feel very strongly. After our experience in Skye I shall have to oppose that clause. I withdraw my Motion.

Motion, by leave, withdrawn.

Clause postponed.

Clauses 79 to 82 agreed to.

Clause 83 postponed.

Clauses 84 to 86 agreed to.

Clause 87 postponed.

Clauses 88 to 99, inclusive, agreed to.

Clause 100 postponed.

Clauses 101 to 103 agreed to.

Clause 104 postponed.

Clauses 105 to 107 agreed to.

Clauses 108 and 109 postponed.

Clauses 110 to 113 agreed to.

Clauses 114 to 117 postponed.

Clause 118.

DR. CLARK (Caithness): This is another clause to which we object. It imposes a penalty of 40s. on occupiers for not performing certain duties which are now performed by the owners. I do not think we are making much progress, and I see no use in going on in this way.

DR. CAMERON (Glasgow, College): I think the clauses up to 126 are of a most contentious character.

MR. A. J. BALFOUR: Then we will postpone those clauses.

MR. T. M. HEALY (Longford, N.): There is a great deal in this Bill raising new powers, and if we go on as we are going it will be said you allowed those powers to be given to Scotland *sub silentio*, and then it will be proposed to apply them to Ireland. There are a number of excellent clauses in this Bill which we should be delighted to apply to Ireland, but we have no chance of getting them. But in voting clauses in this

matter we are acting entirely in the dark, and if we vote anything that is bad for Scotland we shall have it applied to Ireland, and be told that we should not oppose it. I venture to make a protest against this system of passing legislation.

Clauses 119 to 126, inclusive, postponed.

Clauses 127 to 129, inclusive, agreed to.

Clause 130 postponed.

Clauses 131 and 132 agreed to.

Clause 133 postponed.

Clauses 134 and 135 agreed to.

Clauses 136 to 141, inclusive, postponed.

Clause 142 agreed to.

Clause 143.

MR. T. M. HEALY: I do not see why Scotland should have powers which are refused to Ireland, and I propose to alter this clause most mischievously. I propose to introduce the same mischievous proposal as was included in a Government Bill with regard to Ireland. We are not allowed to alter the names of the streets in our towns, and if we are not allowed, why should Scotland be? I admit the Amendment is a mischievous one, but I put it forward to show the manner in which Ireland is treated. We are allowed to alter the numbers, so we will leave the same power to Scotland; but I move after the word "name," to take in from the Irish Bill the words "with the consent of the majority of the inhabitants."

Amendment proposed, after the word "name," to insert the words "with the consent of the majority of the inhabitants."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there added."

MR. ESSLEMONT: This clause was brought forward at the particular request of the Scotch Members, and I hope the hon. Member will not press his Amendment. The Scotch Members will be very glad to help him to alter the Irish Bill if he will not spoil our measure.

DR. TANNER: This Amendment will show Her Majesty's Government

Mr. T. M. Healy

the necessity of dealing impartially with all portions of the United Kingdom. I hope the Scotch Members will assist us to make the Government swallow one of their impartial proposals.

MR. T. M. HEALY: I admitted that my Amendment was mischievous, and I think the clause had better be postponed.

Amendment, by leave, withdrawn.

Clause postponed.

Clauses 144 postponed.

Clauses 145 to 148, inclusive, agreed to.

Clauses 149 and 150 postponed.

Clauses 151 to 179, inclusive, agreed to.

Clause 180 postponed.

Clause 181 agreed to.

Clauses 182 and 183 postponed.

Clauses 184 to 191, inclusive, agreed to.

Clause 192 postponed.

Clauses 193 to 199, inclusive, agreed to.

Clauses 200 to 208, inclusive, postponed.

Clauses 209 to 214, inclusive, agreed to.

Clauses 215 and 216 postponed.

Clause 217 agreed to.

Clause 218 postponed.

Clauses 219 to 221, inclusive, agreed to.

Clause 222.

(4.51.) DR. CLARK: According to this clause a person throwing a cork into the street is to be fined 20s.

Clause postponed.

Clauses 223 to 234, inclusive, agreed to.

Clause 235.

(4.52.) DR. CLARK: This clause provides for the construction of sewers; and as it may come under one of the charges in connection with the Committee I should like to have it postponed.

Clause postponed.

Clauses 236 and 237 agreed to.

Clause 238.

(4.53.) DR. CLARK: This clause means that new houses cannot be built unless they are drained, and it is impossible in some of the smaller burghs to do that.

Clause postponed.

Clause 239 agreed to.

Clause 240.

(4.54.) DR. TANNER (Cork Co., Mid): This clause deals with the ventilation of buildings, a subject forming the subject of inquiry in a Committee upstairs; and as it may be connected with the operation of the Public Health Act I hope the Committee will postpone the clause.

Clause postponed.

Clause 241 agreed to.

Clause 242 postponed.

Clauses 243 and 244 agreed to.

Clause 245 postponed.

Clause 246 agreed to.

Clause 247.

(4.55.) DR. CLARK: This is a very objectionable clause, which permits the sewage of other people to be put under the houses of their neighbours.

Clause postponed.

Clause 248 postponed.

Clause 249.

(4.56.) DR. TANNER: Here, again, "waste pipe in communication with drains." To run a waste pipe in communication with drains anywhere in the vicinity of an open window may be very serious. We have been considering these matters for weeks past in connection with a Committee upstairs; and that particular point was discussed during the whole of an afternoon; and accordingly, in connection with many of these sanitary clauses, I do not think you are doing well or wisely in scampering through this Bill with this undue and indecent haste.

(4.57.) DR. CAMERON: All these clauses would be much better dealt with by giving powers to the Local Authorities to make bye-laws. The small details would be very much better dealt with by bye-laws than by

clauses of an Act of Parliament; and I would suggest, therefore, before coming to any decision, that all these clauses up to 256 should be postponed.

Clause postponed.

Clauses 250 to 256, inclusive, postponed.

Clauses 257 and 258 agreed to.

Clause 259 postponed.

Clauses 260 to 269, inclusive, agreed to.

Clause 270.

(4.58.) DR. CAMERON: This is a subject, again, which had better be dealt with by bye-law.

(4.59.) MR. ESSLEMONT: I wish to point out to my hon. Friend that the object of this Bill is to consolidate the law, so that there may not be one law for one burgh and another for another. My hon. Friend is more familiar with the City of Glasgow than with the smaller burghs, where the same law would not be applicable, as they can go to any expense in these matters in the City of Glasgow.

(5.1.) DR. CAMERON: With all respect to my hon. Friend, whose views are entitled to great weight, I would suggest to the right hon. Gentleman to take into consideration the propriety of dealing with a great number of these matters by bye-laws, and that these clauses should be postponed.

Clause postponed.

Clauses 271 to 276, inclusive, postponed.

Clauses 277 to 281, inclusive, agreed to.

Clause 282.

(5.3.) DR. TANNER: This clause, which deals with the accumulation of penalties, appears to me to afford much room for discussion and ought to be postponed.

Clause agreed to.

Clauses 283 to 285, inclusive, agreed to.

Clause 286 postponed.

Clauses 287 to 289, inclusive, agreed to.

Clause 290 postponed.

Clauses 291 to 315, inclusive, agreed to.

Clause 316 postponed.

Clauses 317 to 325, inclusive, agreed to.

Clause 326 postponed.

Clauses 327 to 329, inclusive, agreed to.

Clause 330 postponed.

Clauses 331 to 339, inclusive, agreed to.

Clause 340.

(5.20.) DR. CAMERON: Here we come to the public health portion of the Bill and the Sanitary Clauses, and I would suggest that we should now break off. I beg to move, Mr. Courtney, that you do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Dr. Cameron.)

MR. BARCLAY: Can the right hon. Gentleman say when the discussion in Committee on the Bill will be resumed?

MR. A. J. BALFOUR: The Bill will be put down on the day the House is to resume after the Recess, with the view of making progress at all events with the remaining uncontested clauses. Under these circumstances I agree to the Motion moved by the hon. Member.

Motion agreed to.

Committee report Progress.

(5.20.) MR. ESSLEMONT: I would appeal to the right hon. Gentleman to take it on the Monday, as it would much facilitate business.

MR. A. J. BALFOUR: The House could, after the Easter Recess, make progress at all events with the undisputed clauses.

Committee to sit again upon Monday, 25th April.

SHORT TITLES BILL [*Lords*].—(No. 227.)

Considered in Committee.

(In the Committee.)

Clause 1.

MR. T. M. HEALY (Longford, N.): I would ask the hon. and learned Gentleman the Attorney General to strike out all the repealing clauses.

*(5.24.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I may explain to the hon. and learned Member for Longford, I propose to strike out all the repealing clauses. The result will be to make the Bill simply permissive, enabling people to use the short title, and not preventing those who prefer to do so from employing the long title. As the hon. and learned Member is well aware, there are many Acts of Parliament which cannot be cited except by very long titles.

MR. T. M. HEALY: I am altogether opposed to the idea of altering the historic titles of certain Acts of Parliament. Take the Act of Union of Scotland. It is to be called Union of Scotland Act? Union of what? Then there is the Act for the Union of England and Scotland, and that of the union with Ireland—our little country over the way. I shall object to any tinkering with these historic titles.

(5.27.) SIR C. RUSSELL (Hackney, S.): I would point out to my hon. and learned Friend the Member for Longford that people will still be at liberty, notwithstanding this Act, to use the longest titles that exist.

DR. TANNER: I think that the Government should be fair all round, and allow the Criminal Law Amendment (Ireland) Act to be cited by the simple, common, and true title of the Tory Coercion Act. It is as well to call a spade a spade while we are at it.

(5.28.) SIR R. WEBSTER: I can satisfy the scruples of the hon. Member. The words are without prejudice to any other mode of recital.

Clause agreed to.

Clause 2 negatived.

Clause 3 agreed to.

Motion made, and Question proposed, "That Schedule 1 be added to the Bill."

(5.33.) MR. T. M. HEALY: The Government proposed at 5.30 to report Progress, and I really think it is not fair to go on.

SIR R. WEBSTER: There are only three Schedules, and these we might be allowed to take.

MR. T. M. HEALY: I withdraw my opposition.

Schedule 1 agreed to.

Motion made, and Question proposed, "That Schedule 2 be added to the Bill."

(5.38.) MR. T. M. HEALY: I beg now, Sir, to move that you report Progress, and ask leave to sit again. It is now more than half-past five o'clock, and, moreover, it is desirable that we should have this Bill in reserve.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—*(Mr. T. M. Healy.)*

MR. A. J. BALFOUR: The hon. and learned Member admits that his object in making this Motion is to have a Bill in reserve that he may operate more successfully upon the Attorney General at a later stage. That is hardly a reason for not going on with this Bill. I said that 5.30 was a desirable hour to begin the discussion upon the Motion for Adjournment, but the hon. Member can hardly complain if the hour is a little overstepped. The Bill now before the Committee can be disposed of in a few minutes, as there is no contentious matter in the Schedules. I hope the Motion for Progress will not be persevered with.

DR. TANNER: As one of the late guests of the right hon. Gentleman, I would like to put this matter in proper form. I wish to move an Amendment on the Schedules with reference to the Criminal Law Procedure (Ireland) Bill. That Bill is known as the Coercion Act, and sometimes it is spoken of as Balfour's Coercion Act, thereby reminding us of the immortal services of the right hon. Gentleman. I shall feel it necessary to divide the Committee on this point, as the right hon. Gentleman has impressed me with a sense of responsibility in respect of this matter.

Motion agreed to.

Committee report Progress; to sit again upon Monday 25th April.

MOTION.

ADJOURNMENT.

MR. A. J. BALFOUR: I beg to move—

"That this House, at the conclusion of the Morning Sitting this day, do adjourn until Monday the 25th April."

PEERS AND ELECTIONS.

(5.40.) MR. T. M. HEALY: We are on the point of adjourning for Easter, and it is only fair to take a slight survey of what the Government have done since the Session began. At the beginning of the Session we were told that in conformity with the Unionist pledges a Local Government Bill on the lines of the measures already passed for England and Scotland would be introduced for Ireland; and that Bill, we were told, would be the consummation of Unionist policy, and would finally seal relations of amity between this country and Ireland. Sir, I ask with Hans Breitmann—where is the Local Government Bill now? We are all anxious that Government should go on with that Bill, but we know very well from authoritative statements that have appeared in the Unionist newspapers that the Government have themselves abandoned all hope of passing the measure into law. Thus it is that every pledge made by successive Governments with regard to Local Government in Ireland has been broken, and time after time they have shown themselves absolutely incapable of legislating on this important subject. In 1878 the right hon. Gentleman the Member for Thanet brought in a Bill, which was a better Bill than the measure now before the House. The present Bill is so bad that the Government are ashamed to present it to the House of Commons. It is a Bill which purports to abolish the powers of Grand Jurors in Ireland, and to hand them over to the people of Ireland. The Grand Jurors met last month, and from not one of the 32 counties did there come from those gentlemen, whom it is proposed to disestablish, one single word of protest against the great Local Government Bill of Her Majesty's Government. That is one of the most remarkable testimonies to the Tory character of the Bill. There is another subject I should like to touch upon—namely, the subject of education. So far as I can see, Irish education is as far from being perfected as ever. A very reasonable demand was made by competent and indeed high authorities that the Bill should be split into two parts—that the part which deals with intricate and

somewhat difficult matters of procedure should be postponed, so that the part which gives relief to the teachers, which is non-contentious, should be passed, as passed it would be in a few hours. The Government object to that without forcing down the throats of the Irish Members a proposal for dealing with the Pension Fund that is absolutely obnoxious to the people of Ireland. These are the entire performances of the Government, and I like to check off the Act of Union year by year, in order to show the assets. We have an offensive and objectionable Local Government Bill which is brought forward only to be withdrawn, and an Education Bill which is objected to by the Irish Members—a Bill which the Government will not allow the Irish Members to mould in accordance with the wish of the Irish people. But, Sir, the immediate purpose of my intervention was to call attention to the action of the present Lord Chancellor of Ireland (Lord Ashbourne). Lord Ashbourne is at the head of the judicial administration in Ireland; he is a man who had great experience in this House; he has very important functions to discharge in Ireland. In the first place, he has to be satisfied of the legal knowledge of the Removable Magistrates—a subject so profound as almost to engage his exclusive attention. He has, practically, the appointment of all the Judges in the land; he advises the Lord Lieutenant and I believe a practice has sprung up—I believe it dates from the time of Lord Chancellor Sullivan's first appointment—of having an office in Dublin Castle called the Lord Chancellor's Office. Therefore, this Judge in the land takes practically a part in the executive as well as in the legal and judicial administration of the country. Moreover, Lord Ashbourne is a Cabinet Minister. So strongly does he feel that he is to some extent a suspect that he does not sit and adjudicate in certain matters coming before his Court—in revision appeals, for example, with respect to the registration of voters and other cognate matters; and although I do not think it is a very great loss, still there attaches to him the conviction that he is bound to walk warily in the discharge of his important

duties. But in addition to being Lord Chancellor, Lord Ashbourne is a Peer of the Realm, and as you, Mr. Speaker, reminded us when the Cambrian Railway Directors were before us the other day there are certain Resolutions passed at the beginning of every Session which, if they leave out the force of law, are still real and absolute powers. One of these Resolutions which was mentioned by you, Mr. Speaker, when admonishing the Cambrian Directors from the Chair, is in these words:—

“Resolved, That it is a high infringement of the liberties and privileges of the Commons of the United Kingdom for any Lord of Parliament, or other Peer or Prelate, not being a Peer of Ireland at the time elected, and not having declined to serve for any county, city, or borough of Great Britain, to concern himself in the election of Members to serve for the Commons in Parliament, except only any Peer of Ireland at such elections in Great Britain respectively where such Peer shall appear as a candidate, or by himself, or any other, be proposed to be elected; or for any Lord Lieutenant or Governor of any county to avail himself of any authority derived from his commission, to influence the election of any Member to serve for the Commons in Parliament.”

Lord Ashbourne was as well aware of that Resolution as any other Peer. But I do not wish to press the point too strongly against Lord Ashbourne because the Resolution has not the force of law, and because the Duke of Westminster, the Duke of Norfolk, and other persons higher in the scale, are in the habit of intermeddling in politics, and it would not be fair to reprimand Lord Ashbourne who is only a Baron for doing what Dukes do habitually. My real complaint is that Lord Ashbourne who is a Judge of the land has interfered practically in a hustings matter. The right hon. Gentleman, the Leader of the House, says that has yet to be proved. Well, Sir, I acknowledge that my authority is rather slight—it is only a paragraph in the *Times*. I am well aware from certain judicial proceedings that any statement the *Times* makes with regard to a Member of Parliament or a Peer belonging to a certain political Party ought to be taken with a certain amount of reserve. But in this instance the statement in the *Times* may, I think, be taken as accurate because it was not telegraphed, and might have been supplied by the noble Lord himself. Lord Ashbourne would have done better

by attending to his important judicial duties in Ireland instead of traipseing over to Portsmouth to look after the candidature of Mr. Evelyn Ashley, who is an Irish landlord in Sligo. We know the subject of the relations between the Government and the Irish landlords has been sufficiently agitated, and Lord Ashbourne might have refrained from mixing himself up with an Irish landlord, whose conduct in 1881 we remember by his having a number of suspects put into gaol because they were giving him trouble. I think when Lord Ashbourne goes to support Tory or Unionist candidates for English constituencies, he would do well not to support Irish landlords, or, at all events, such an obnoxious character as Mr. Evelyn Ashley. Then his Lordship, having doffed the ermine and the horse-hair, proceeded to lecture the Liberal Party on their vices, and launched out into a great panegyric on the virtues of Members of the present Government. Now, if there is anything indecent I know, it is one Member of a Government getting up and praising another Member. It is a kind of mutual admiration society which is established by that means. It is like the case of a long firm in which the one who is not convicted is put up to give evidence in favour of his "pals" in the dock. It is quite remarkable that Lord Ashbourne travels 500 miles, and leaves the Court of Appeal in Ireland and the care of wards of Chancery, and goes down to Portsmouth to make a defence of the Unionist Party. The *Times* says that—

"His Lordship, on entering the hall in company with the candidate, was received with a loud outburst of cheers."

What would be thought in Ireland if Lord Halsbury left his robes in the Royal Courts of Justice and came over to Belfast to the Shankhill Board, for instance, or went to South Antrim accompanied by the distinguished Gentleman who sits for that constituency, or even went to Trinity College which the Attorney General adorns by representing, and delivered an address to the Irish nation? We should be inclined to resent it, and to tell Lord Halsbury that as he received a large salary for his duties in England he would be far better engaged there. Lord Ashbourne does not seem satis-

fied with getting all his friends and relatives made Judges in Ireland and in quietly drawing the proceeds of his office, but he must work for others of his relatives, and play for a second term by getting in Unionist candidates and delivering speeches of this character. He said—

"There was a time when every public man should absolutely and fearlessly meet the public opinion of his country, and speak upon every topic of their public life."

Well, I do not think so. I do not think Judges are appointed to go on the hustings and speak upon every topic of their public life. What we want Lord Chancellors for is to take care of wards in Chancery and to confine themselves strictly thereto, not to go down to the country "primrosing" and delivering violent speeches. The noble Lord might have taken this long journey without being needlessly offensive. I always notice when a man says he does not mean to be offensive that he invariably says something un-Parliamentary. For myself, I never say anything offensive. Look what his Lordship says of the right hon. Gentleman the Member for Midlothian. He said—

"Let any fad be started and Mr. Gladstone's lieutenants will speak upon it, and in such a way that the poor people behind the fad are left to the delusion that it might be a great benefit to them, and that something might be done for them."

I do not see why the cold shade of silence should pervade the Ministerial Benches at the present moment on hearing this deliverance of a Tory Judge. If this is the tone of speech we are to have when Lord Chancellors leave the Bench, the more they remain on the Bench the better. Then I find his Lordship went on to praise different Members of the Tory Party, but somehow or other he left out the Home Secretary. I do not know why he left out the Home Secretary, but I may be inclined to make a few remarks hereafter about that. He says in regard to financial administration—

"The Government had had great luck in securing the vast aid of the genius of Mr. Goschen."

And nobody remarked sugar bounties, or publicans' licences, or anything of that kind. But the First Lord of the Treasury was not passed over. But

before he came to the First Lord he had a few remarks to make about another gentleman. The noble Lord the First Lord of the Admiralty was also referred to, and in reference to him Lord Ashbourne said—

"In their naval administration the present Government and Lord George Hamilton had manifested an earnest desire to put the Navy into a vigorous and efficient state."

Quite so. He is simply praising his own friends. In regard to the Government of Ireland he says, "The peace and quietness which had been restored they owed in a great measure to the genius of Mr. Balfour." I certainly think if Lord Ashbourne went to deliver a speech in regard to a gentleman whose highest service is that of having passed a beneficent Coercion Act he might, in a more fitting way, have acknowledged the great work which he says the First Lord of the Treasury did on behalf of Ireland when he was Chief Secretary. And this is the class of Judges with whom the Government think it reasonable we should be satisfied to have at the head of the judicial system in Ireland. But he had not one word to say in favour of Mr. Ashmead Bartlett. I most solemnly pledge myself that I have read out every word his Lordship said in praise of the Cabinet or Members of the Government. When the noble Lord thinks it worth his while to leave the quiet of the Four Courts in Dublin to deliver speeches of that kind in favour of the Tory Party, it shows the pass which Castle administration in Ireland has reached. So far as my experience goes, we should have been appalled if any Judge, when Lord Spencer was governing Ireland, had dropped across to deliver a speech in favour of Mr. Foster or the coercion policy of that day. Or what would have been thought if we had sent John Nash to stand in front of the Home Rule van and beat the drum in favour of the policy of the right hon. Gentleman the Member for Midlothian? What would the Orange Party have said—what would the hon. Members for North Armagh and South Tyrone have said—if any other Judge had stood at cross roads and addressed a meeting or done anything of that kind? Supposing there had been a riot at the Portsmouth meeting, would it not have been a pretty spectacle for the Lord

Chancellor of Ireland, whom the Irish people were called on to respect, to have been seen "rotten egged" while taking part in the hurly-burly of an election demonstration? I do think such a thing would be calculated to lower the dignity of the Judicial Bench. The House has already pronounced against conduct of the character that has been pursued by the noble Lord and against the Judges of the land taking part in political meetings. And, in addition to the responsibilities of a Judge, there is this further grave position held by his Lordship: that he has practically the appointment of Removable Magistrates and County Court Judges, and has also great influence in the appointment of other Judges in Ireland. He is likewise the right-hand man of the Lord Lieutenant. And we are fairly entitled to expect that a gentleman with the long experience in regard to this House that Lord Ashbourne has should observe the same decorum that he displays in the conduct of his judicial functions with regard to matters of a strong Party character, and should not leave his own country to come over to England and set a bad example to the Judges here by conduct which would not be tolerated on the part of one in their own sphere. Suppose it had been a Removable Magistrate instead of the highest Judge in the land, say, Mr. Cecil Roche; suppose this gentleman, fired by the example of the Lord Chancellor, had come over to help you at the pending election; would that be tolerated? Are Civil servants to be allowed to attend political meetings? In my opinion a most infectious and detrimental example has been set and it will be well if the noble Lord will get up in another place and make some apology for the bad example he has set.

(6.11.) MR. A. J. BALFOUR: I apprehend that the attack we have just listened to from the hon. and learned Gentleman on the Lord Chancellor of Ireland is not, even from his own point of view, intended to be taken seriously. I gather that from the substance of the remarks of the hon. and learned Gentleman and from the manner in which he treated certain parts of the subject. In regard to the substance of his criticisms he attacks Lord Ashbourne on

two grounds—first, that he has interfered in the controversial part of politics while Lord Chancellor of Ireland; and, secondly, that he has interfered in an election over here, although a Peer. With regard to the first ground. The hon. and learned Gentleman must know perfectly well that to go down to meetings either at Portsmouth or elsewhere, under the circumstances in which Lord Ashbourne attended those meetings, is a matter of every day occurrence on the part of Peers and has never been objected to by this House. The exact limits to which Peers should keep in dealing with election contests I do not propose to lay down; I do not profess to be a lawyer and it is not my duty to interpret these matters. But there can be no doubt, draw the line where you will, that Lord Ashbourne is on the safe side of that line, and in what he did was only following the habitual practice of Peers—sometimes Liberal Peers, sometimes Conservative Peers, and certainly not more Conservative than Liberal Peers. I come to the second substantial contention of the hon. and learned Gentleman. He appears to think that the fact that Lord Ashbourne is a Judge in very high place in Ireland is a reason why he should not himself take any part in politics in this country, or express any opinion in England on matters of Party policy. The hon. and learned Gentleman must remember that from time immemorial the British practice has been otherwise. From time immemorial the Chancellor of Ireland, as well as of England, has been a Party politician. The Lord Chancellor of England has invariably been a Member of the Cabinet, and the second most important Member of the Cabinet—and so long as you conduct the business of Government by Party you cannot well put any man in a position more obviously involving Party considerations than if you put him in the Cabinet, and if you once swallow that camel there is no need to strain at the gnat of a Peer taking part in politics outside the House of Lords. It is, of course, true that the habit of speaking on platforms at all is comparatively a novel practice so far as politicians in high office are concerned. I should think the number of times Sir Robert

Peel spoke on a public platform to any other audience than his own constituents might probably be counted on the fingers of one hand, and probably the same is true of Lord Palmerston. The habit of conducting our Parliamentary Debates at greater length, not only in this House and the other House but on public platforms, is one which, for good or evil, has been increasing with prodigious rapidity in the last 20 or 30 years, and it is evident that this must be so in the case of a Lord Chancellor as in the case of every other politician of note, whether in or out of office. But the duty of Lord Chancellors is not to take a greater part in the political controversies of their day, not to show more than formerly that they are members of one political Party; but occasionally to do, what all other leaders of political Parties have to do, to state the opinions they hold, which everybody knows they hold, before popular audiences on public platforms. Nor has it ever been suggested, either in this House or elsewhere, that the fact that the Lord Chancellor of the day, whether in Ireland or England, was a Party politician, has ever warped his absolute impartiality when on the Bench, or has ever suggested to any suitor who came before him that he was not secure of absolute justice at the hands of his Judge. I do not know that I need say more on the substance of the speech of the hon. and learned Gentleman. It did, indeed, strike me during some of his remarks, that what he objected to on the part of Lord Ashbourne was not so much that Lord Ashbourne had made a Party speech, but that that Party speech was one not at all to the taste of the hon. and learned Gentleman himself. It struck me that he was not so much anxious to vindicate the position of the Judicial Bench, as anxious to deliver a thrust at a political antagonist—not with a poisoned weapon—but still a thrust at a political antagonist. In referring to the speech of my noble Friend, the hon. and learned Gentleman paid what my noble Friend will, no doubt, regard as a compliment, but one which is not likely to be returned by any Member of the other House with regard to the speech of the hon. and learned Gentleman. The chief criticism of the hon. and learned

Gentleman upon the speech of my noble Friend at Portsmouth was that it was of too eulogistic a character. He seemed to think my noble Friend indulged in too much agreeable speaking about his friends. If, against my expectations, any speech of the hon. and learned Gentleman is the subject of discussion in another place, the particular point of attack will not be undue indulgence in eulogistic utterances on the part of the hon. and learned Gentleman. It is no doubt true my noble Friend praised the administration of some of his colleagues; he may have taken too favourable a view of their performances. The hon. and learned Gentleman has often had to take notice of the behaviour of his colleagues, past and present, and I have not noticed in his utterances that he ever indulged in what might be described as grovelling flattery. That is not the sort of language in which the hon. and learned Gentleman indulges; that is not the kind of speech in which he excels. But that is no reason why he should envy the gifts of others more charitably endowed than himself, or why he should subject to these scathing criticisms, a speech, the ability of which cannot be contested, and which even he will not assert went out of the ordinary and proper line of Party controversy.

INFLUENZA IN IRISH SCHOOLS.

MR. TUIE (Westmeath, N.): I wish to ask the Chief Secretary if his attention has been called to the rules of the National Board of Education, insisting on an attendance of 30 children at schools to earn the grant for assistant teachers, and how the operation of that rule has been affected by the epidemic of influenza? In consequence of that epidemic it is difficult to maintain the attendance in some schools, and I think some modification of the rule should be allowed.

MR. JACKSON: Yes, Sir; I understand that the hon. Member refers to a case where the attendance has been reduced in consequence of illness. I have communicated with the Board in the last ten days or so, and I understand that they always exercise a certain leniency in cases where illness has reduced the attendance slightly below the number requisite for keeping the school open, or in the other case, for

requiring an assistant teacher. Certainly, in the case of illness to which the hon. Member has referred, I think they would exercise that indulgence and not order the salary of the assistant teacher to be stopped because there was not full attendance. If the hon. Member has any information to lay before me I will consider it.

THE IRISH MAIL SERVICE.

(6.23.) MR. MAURICE HEALY (Cork): I wish to call attention to the action of the Post Office Department in regard to a matter raised at question time—the postal facilities for the South of Ireland. I have to acknowledge the courtesy of the Postmaster General in receiving a deputation from the South of Ireland about a month ago, and so far as I am able to judge, the course he has taken is one which he has taken against his judgment, and which he would not have taken if the question had been left in his hands to decide. The right hon. Gentleman told us he was quite in favour of reform, but said the matter rested with the Treasury. I would like to show what the Post Office has done in the matter. The day mail arrives at Cork at a quarter to twelve, and it leaves Cork at ten past one. Taking into consideration the interval between arrival and delivery, and between posting and despatch, there is little more than an hour for answering correspondence. The Cork Chamber of Commerce has over and over again called attention to the matter, and some time ago succeeded in getting the right hon. Gentleman to interest himself in the subject. A similar grievance was brought to his notice with regard to the North of Ireland, and I want to call attention to the difference of the attitude of the right hon. Gentleman in the two cases. At that time the North of Ireland was better off than Cork, as there was a longer interval for answering letters. In face of that fact the right hon. Gentleman did not grudge spending £23,000 in improving the postal arrangements. He spent £5,000 in improving the train services between Dublin and Belfast, and Dublin and Londonderry, and the other part of the sum in securing an alternative route not passing through Dublin, and that

for dealing with a volume of letters which the right hon. Gentleman acknowledged did not exceed the volume of local letters passing between Dublin and Cork, and which was less than the volume between Dublin and Cork if the latter included the American mail. The right hon. Gentleman has admitted that the state of things is unsatisfactory, and pointed out that the Department had spent the sum of £23,000 to give in the North of Ireland an interval of five hours between the arrival of the English mail and its dispatch, and yet the Treasury are not willing to spend £3,000 in order to improve the service to the City of Cork. Any improvement in that service would benefit not merely Cork and the whole of the South of Ireland, but the whole commercial community of England. We have been treated in a somewhat unfair manner. The Postmaster General has told us what he has succeeded in doing for the North of Ireland, and we ask the expenditure of £3,000 to secure a better Mail Service for Cork. The right hon. Gentleman tells us that the Treasury, having regard to the expenditure elsewhere, is not willing to grant us this advantage; but I think it is most unfair that the South of Ireland should be sacrificed to the interests of other places. The right hon. Gentleman does not say that the demand is unreasonable, but that the Treasury are unable to consent to it, because money has been spent elsewhere in improving the Mail Service in other parts of Ireland. Not an additional penny will the Treasury consent to spend on the Cork Service, although the benefit would be for the Anglo-American Mail Service as well as for Cork. We know how important this American Mail Service is. We know that other ports are competing with Liverpool for the American mails, and we know the advantages of this service, and what a considerable improvement the expenditure of £3,000 would effect, and the right hon. Gentleman admits the sum is a reasonable one. This is no case in which a Railway Company makes an unreasonable demand for an improvement in a local service, as was said to be the case with the Wexford Mails. Negotiations have taken place with the Great Southern and Western

Railway Company, and the right hon. Gentleman has frankly admitted the Company were reasonable in their demand; and yet, after expectations have been raised, we are met with the unsatisfactory and inconclusive statement that the Treasury will not permit the right hon. Gentleman to do what he considers just and right in this matter. I quite believe that the right hon. Gentleman himself is willing to meet the wishes of the people of Cork in this matter, and I do urge him to use all influence with the Treasury that the Southern Mail Service may be put on as satisfactory a footing as the Service for the North of Ireland.

(6.33.) THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): The time at our disposal will not allow me to do full justice to the Department in relation to this subject. On several occasions I have recognised that hon. Members have a very good case in respect to the imperfect convenience the citizens of Cork now enjoy. We are constantly engaged in levelling up the Post Office Service. It is an agreeable duty when we find ourselves able to effect improvements in the Service and meet the wishes of localities. The Department can claim credit for having done much in recent years in this direction. The accounts show how much has been expended in the last few years in this manner. But everything cannot be done at the same time. We have many demands to meet. Cork does not stand alone in the position of not being satisfied with the Postal Service. There is a large and important English port in the centre of a great industry now making very similar representations to Cork, and showing that for a few thousand pounds great improvements could be effected. All these matters are considered and noted for attention as soon as circumstances will admit. I recognise that the facilities Cork enjoys are not sufficient, and that the additional sum the Railway company asks for a faster train service, thus allowing a longer interval for the return correspondence to be prepared, is a modest and reasonable request. But the fact is the expenditure upon improvements elsewhere has exhausted the sum we can apply for this purpose

for the present, and so this matter stands over for future consideration, and I shall be glad if my tenure of office should allow me the opportunity of meeting the wishes of hon. Members in this respect.

RATING OF SCHOOLS—IRISH AFFAIRS.

(6.37.) MR. J. G. TALBOT (Oxford University): I take the opportunity to recall to the attention of my right hon. Friend a Bill which, though several times mentioned, has not yet appeared—a Bill as to which there is a good deal of public interest—the Bill for the exemption of schools from rates. That Bill was given a place on the year's programme in redemption of a distinct pledge given last Session, and it has acquired still greater importance from the Debate earlier in the Session in reference to the use of schoolrooms for political meetings. A sort of understanding was come to that a clause in the Bill should embody the Resolution the House then arrived at. These two matters—the exemption of schools from rating, and the use of schools for political meetings—are of so much importance that I think we may ask if the Government are prepared with their proposals on the subject? Of course, if the Bill is not introduced very soon after Easter, the chance of such a Bill passing this Session is not very great. Without unduly pressing the Government, I hope we may have some assurance on this matter.

(6.39.) COLONEL NOLAN (Galway, N.): I do not intend to delay the House, but there are two questions I should like, before we separate, to put before the Chief Secretary. The first of these I have mentioned several times—the steam trawling carried on in Galway Bay. The law against steam trawling within three miles of the coast does not apply to Ireland, and so it is that Scotch and other trawlers, not being able to pursue the practice off other coasts, appear in increasing numbers off the coasts of Mayo and Galway. I hope that during the Recess the Chief Secretary will obtain information on this matter, and, if possible, arrange with the Admiralty for the presence of a fast gunboat, which will protect the interests of the Irish fishermen. Then the other point I desire to mention is the claim of the Christian

Brothers' Schools to assistance under the Education Bill. I trust that the Government will obtain full information on this matter, so that when the Education Bill comes on we may not be told that the Schools of the Christian Brothers are entirely outside the pale of the Education Department. If the Secretary to the Treasury would make an official report as he has made an unofficial report, he would do great service.

(6.40.) MR. A. J. BALFOUR: My hon. Friend behind me (Mr. J. G. Talbot) desires us to bring on the Rating of Schools Bill. As he is aware, the House adopted the suggestion which I think emanated from himself, that added to that Bill there should be a clause dealing with the use of schoolrooms for other than purely educational purposes. I believe the Bill has been drafted, but whether it will be possible to find time to discuss it depends upon the progress we are able to make with other measures. The hon. and gallant Gentleman opposite (Colonel Nolan) has mentioned two matters, trawling and the Christian Brothers' Schools. I think my right hon. Friend the Chief Secretary was present to hear the request in reference to the Christian Brothers' Schools, and I have no doubt he will keep the subject in view and make himself thoroughly acquainted with the circumstances. As to steam trawling and the change which the hon. and gallant Gentleman says is taking place in the fishing in Irish waters, that also is a question which demands, as it will receive, serious consideration.

(6.42.) MR. SEXTON (Belfast, W.): The Irish Education Bill will receive close scrutiny, and probably will be met with prolonged debate; and with this in view, I wish to say that the Return laid before the House on the Motion of the hon. Member for South Tyrone (Mr. T. W. Russell) is of an extremely partial character, and, standing alone, will cause a very incorrect judgment to be formed of material facts in relation to Irish education. I shall put down a Motion which I hope to move when we re-assemble after the Recess, for a second and supplementary Return which will qualify the imperfect and partial statement of facts as it appears in the

Return of the hon. Member. It is desirable in view of the Debate that this second Return should be granted as soon as possible. If it is not granted, I must obtain the facts as far as I can in any other way open to me, for they are pertinent to the Debate on the Education Bill; but I think it will tend to economy of time if they are put before us in form not open to doubt. I take this opportunity to direct attention to the Motion of which I shall give notice this evening.

**(6.44.)* MR. T. W. RUSSELL (Tyrone, S.): I may remind the hon. Member that the Return is not in the form in which I placed my notice on the Paper, but in the form in which the Government expressed willingness to give it, and therefore I am not responsible for any partial character it may have. But my purpose in rising is to ask the First Lord if he can indicate the day after the Recess when the Education Bill will be taken? It is a subject of the greatest interest to a large number of people in Ireland, and I shall be glad if he can indicate the probable time when it will be reached.

MR. A. J. BALFOUR: I cannot give any positive pledge beyond saying that it will not be taken in the first week after the holidays.

SIR W. FOSTER (Derby, Ilkeston): Can the right hon. Gentleman say when Committee on the Small Holdings Bill will be resumed?

MR. A. J. BALFOUR: My idea is that we ought to reach it on the Monday in the second week, May 2nd. The previous Thursday I anticipate will be occupied with the Budget discussion.

(6.45.) MR. P. O'BRIEN: Before we separate I should like to say a word with reference to the prisoner Egan, now confined in Portland Prison, and as to whom I put a question to the Home Secretary to-day. The right hon. Gentleman was good enough to say he had reconsidered the case, but I am anxious to know if he is still open to receive information I can put before him? It will be in the recollection of the House that when the question of amnesty was brought before us some twelve months ago by my late Friend and Leader (Mr. Parnell), and more recently by the hon. Member for Waterford (Mr. J. E. Redmond), a clear distinc-

tion was shown to exist between the cases of Egan and the other prisoners convicted at the same time. The late Home Secretary (Sir W. Harcourt) admitted that Egan's case stood on different ground, and the right hon. Gentleman is the real gaoler in the case I suppose. I think the present Home Secretary expressed a similar opinion, and what I now want to ask is whether the right hon. Gentleman is still open to receive and consider information I can put before him in relation to Superintendent Black of Birmingham, whose evidence was mainly responsible for Egan's conviction? I do hope the right hon. Gentleman will give an assurance that he will give full consideration to facts which should lead strongly in the direction of a release of this prisoner.

(6.47.) MR. MATTHEWS: I cannot say that I have in the least altered the view I have previously expressed in regard to this case; but certainly, if material facts are brought before me, I shall always be ready to consider and to give full weight to them.

(6.47.) DR. TANNER: One matter in relation to Irish fisheries. There have been many remonstrances addressed to the authorities against the daily destruction of immature fish on the Irish coasts; and, putting the matter into a very few words, I would press upon the Chief Secretary that something should be done to prevent this destruction in the interest of a valuable Irish industry.

MR. JACKSON: It shall be borne in mind.

(6.48.) MR. CREMER (Shoreditch, Haggerston): Can the First Lord of the Treasury tell us what is the intention as to Morning Sittings after the Recess?

MR. A. J. BALFOUR: Not at present.

MR. CREMER: It is important to hon. Members who have Motions for Tuesdays or Fridays to have some indication.

MR. A. J. BALFOUR: I cannot give any intimation now. The arrangement for Morning Sittings ceases at Easter. As soon as there is any necessity for further time for Government measures I will communicate it to the House.

Question put, and agreed to.

Resolved, "That this House at the conclusion of the Morning Sitting this day do adjourn until Monday the 25th April."—(*Mr. A. J. Balfour.*)

ORDERS OF THE DAY.

MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 229.)

Order for Second Reading read.

MR. HOWELL (Bethnal Green, N.E.): May I be allowed to say that an important communication representing the views of the shipowners of the United Kingdom in reference to this Bill has been received, and will, during the Recess, be most carefully considered by Members whose names are on the back of the Bill; and if the Bill is now given a Second Reading the Committee stage shall be fixed for a distant date?

SIR E. HARLAND (Belfast, N.): I object.

Second Reading deferred till Monday, 25th April.

WEIGHTS AND MEASURES (PURCHASE) BILL.—(No. 213.)

Read a second time, and committed for Monday, 25th April.

SHERIFF COURTS (SCOTLAND) EXTRACTS BILL.—(No. 119.)

As amended, considered; read the third time, and passed.

PRIVATE BILLS.

Ordered—

That Standing Orders 39 and 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, and for depositing duplicates of any Documents relating to any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to the first day on which the House shall sit after the recess.—(*The Chairman of Ways and Means.*)

MOTIONS.

MIDWIVES' REGISTRATION.

The Select Committee on Midwives' Registration, nominated of—Mr. Bright, Mr. Tatton Egerton, Dr. Farquharson, Sir Frederick Fitz Wygram, Dr. Fox, Mr. Howorth, Sir Guyer Hunter, Mr. Fell Pease, Mr. Rathbone, Mr. Stephens, and Mr. Arthur Williams.

Ordered, That five be the quorum.—(*Mr. Fell Pease.*)

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (MILNATHORT) WATER BILL.

On Motion of the Lord Advocate, Bill to confirm a Provisional Order under "The Public Health (Scotland) Act, 1867," relating to Milnathort Water, ordered to be brought in by the Lord Advocate and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 280.]

WITNESSES (ROYAL COMMISSION AND PARLIAMENT) PROTECTION BILL.

On Motion of Mr. Yerburch, Bill to make provision for the better protection of witnesses giving evidence before any Royal Commission or any Committee of either House of Parliament, ordered to be brought in by Mr. Yerburch, Mr. Fisher, Mr. Forrest Fulton, and Mr. Story-Maskelyne.

Bill presented, and read first time. [Bill 287.]

RAILWAY AND CANAL TRAFFIC ACT (1888) AMENDMENT BILL.

On Motion of Mr. Sinclair, Bill to amend "The Railway and Canal Traffic Act, 1888," ordered to be brought in by Mr. Sinclair, Mr. Jeffreys, Mr. Philip Stanhope, Mr. Tomlinson, Mr. W. F. Lawrence, and Mr. Barclay.

Bill presented, and read first time. [Bill 288.]

JURY LAW AMENDMENT BILL.

On Motion of Mr. Pitt-Lewis, Bill to amend the Law as to Grand and Petty Juries, ordered to be brought in by Mr. Pitt-Lewis, Mr. Bernard Coleridge, Mr. Kimber, and Mr. John Kelly.

Bill presented, and read first time. [Bill 289.]

DISTRICT COURTS BILL.

On Motion of Mr. Pitt-Lewis, Bill to amend the Judicature Acts by the establishment of District Courts, ordered to be brought in by Mr. Pitt-Lewis, Mr. John Kelly, and Mr. Atherley-Jones.

Bill presented, and read first time. [Bill 290.]

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.

On Motion of Mr. Jackson, Bill to amend the Law relating to the Drainage and Improvement of Land in Ireland, ordered to be brought in by Mr. Jackson and Mr. Attorney General for Ireland.

Bill presented, and read first time. [Bill 292.]

It being Seven of the clock, Mr. Speaker, in pursuance of the Resolution of the House this day, adjourned the House until Monday, 25th April, without Question put.

House adjourned at Seven o'clock till Monday, 25th April.

HOUSE OF COMMONS,

Monday, 25th April, 1892.

QUESTIONS.

LAND PURCHASE (IRELAND) ACT,
1891.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Attorney General for Ireland when the Returns prescribed by Section 33 of "The Land Purchase (Ireland) Act, 1891," will be distributed?

THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): I am informed by the Land Commissioners that they have collected materials for the preparation of this Return, and that they are now in communication with the Treasury as to the particular form the Return is to assume. It will be presented very shortly.

*MR. J. E. ELLIS: I may remind the right hon. Gentleman that similar information has been handed to a supporter of the Government on this side of the House, and it is important that we should all have the information in an official form.

THE CLARE SLOB LANDS.

MR. COX (Clare, E.): I beg to ask the Secretary to the Treasury whether the Board of Works engineer made an estimate as to the probable cost of repairing the damage done to the embankment of the River Fergus slob lands reclamation by the storm in October last year; was it acting on the advice of said engineer that the Treasury abandoned the works; and whether he will lay upon the Table of the House the Report of the engineer, and the Correspondence between the Treasury and the Board of Works on the subject?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): The answer to the first paragraph of the question is in the affirmative; but with regard to the remainder of the question, I do not think it would be for the public interest to lay

any Correspondence on the Table at the present time. The Treasury acted on their own responsibility in dealing with the matter.

MR. COX: May I ask the right hon. Gentleman is it not the fact that these slob lands are at the present time advertised for sale by the Chancery Division of the High Court of Justice and are estimated to produce a yearly rental of £3,666 4s.? If this is so, is the right hon. Gentleman prepared to modify the reply he gave me on the last occasion when I put a question on this subject when he said the money expended had been thrown away, and the Government refused to expend any more money in building up the embankment washed down by the floods?

SIR J. GORST: I am aware that the land has been offered for sale by the Court of Chancery, and for that reason I think it undesirable to publish the Correspondence. The hon. Member puts into my mouth the statement that the expenditure had been thrown away, but I assented to his statement that undoubtedly there had been a large expenditure, and the Treasury are determined to spend no more.

MR. COX: But is the right hon. Gentleman aware that of 1,242 acres there will be only 29 acres available, the remaining 1,213 acres being again submerged?

SIR J. GORST: The hon. Member must give me notice of that question.

MR. COX: I will do so.

THE GRESHAM UNIVERSITY.

SIR A. ROLLIT (Islington, S.): I beg to ask the First Lord of the Treasury whether he is able to state the terms of the Reference to a Royal Commission on the question of University Education in London, and the names of the Commissioners?

MR. BARTLEY (Islington, N.) had notice also of the following question: To ask the First Lord of the Treasury whether he is in a position to announce the names of the Royal Commissioners to whom the question of a teaching University for London (the Gresham University) will be referred?

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): In answer to this question and also to the question in the

name of the hon. Member for North Islington, I have to say that the terms of Reference to the Commission as received at the Home Office are as follows:—

“We, taking the premisses into consideration, do authorise the said Commissioners to consider, and if they think fit, to alter, amend, and extend the proposed charter remitted in compliance with an Address of the House of Commons so as to form and report to us a scheme for the establishment under charter of an efficient teaching University for London.”

These terms, as my hon. Friend will see, are so wide that they will cover all projects which may be thought worthy of consideration for including the existing London University in the scheme. The names of the Commissioners are as follows:—Earl Cowper, K.G. (chairman), Lord Reay, G.C.S.I., G.C.I.E., Bishop Barry, the Right Hon. Sir Lyon Playfair, K.C.B., LL.D., Sir William Scovell Savory, Sir George Murray Humphry, M.D., LL.D., Mr. George G. Ramsay, LL.D., Rev. Canon Browne, B.D., Mr. Henry Sidgwick, Litt.D., Mr. John Scott Burdon Sanderson, M.A., Mr. James Anstie, Q.C., Mr. Ralph Charlton Palmer, and Mr. Gerald Henry Rendall, M.A.

DR. FARQUHARSON (Aberdeen, W.): May I ask the right hon. Gentleman why the representation of the medical profession is restricted to the surgical side of the profession, and whether he will take into consideration the desirability of adding a physician in active practice as representing the general body of medical practitioners in the United Kingdom?

MR. A. J. BALFOUR: I will inquire from my noble Friend with whom the responsibility rests of submitting the list to Her Majesty. I will submit the suggestion of the hon. Member, but I rather think that a difficulty will be found in increasing the number of Commissioners, already considerable. I believe I am right in saying that Sir George Humphry is not merely a surgeon—he is a doctor of medicine.

DR. FARQUHARSON: I rather think that it is exclusively in connection with the surgical profession he has made his reputation.

Mr. A. J. Balfour

THE WESTERN HIGHLANDS AND ISLANDS (SCOTLAND) WORKS ACT, 1891.

DR. MACDONALD (Queen's County, Ossory): I beg to ask the First Lord of the Treasury whether the Secretary for Scotland has, in contravention of Section 2, Sub-section 4, of “The Western Highlands and Islands (Scotland) Works Act, 1891,” refused to make inquiry into certain works proposed to be made under the said Act in Ross-shire till plans, specifications, &c., are laid before him as to the proposed works; and, if so, what remedy there is to compel the observance of the Act and procure an inquiry?

MR. A. J. BALFOUR: The Secretary for Scotland has requested the County Council interested to supply information, plans, and specifications, with a view to facilitate the preliminary inquiry he is entitled to make under Section 2 of the Act. Whether such plans are furnished or not the Secretary of State in no case has refused to make the necessary inquiry.

DR. MACDONALD: May I ask whether it is not the fact that the plans and specifications are not to be supplied until after the inquiry is made?

MR. A. J. BALFOUR: I will submit the suggestion of the hon. Member to the Scotch Office.

HARBOUR OF REFUGE AT PORTNAGURAN.

DR. MACDONALD: I beg to ask the First Lord of the Treasury if the Government is now prepared to act on the recommendations of the Western Highlands and Islands Commission of 1890, to grant a sum of £30,000, or other sum of money required, for the construction of a harbour of refuge at Portnaguran, in the Island of Lewis, so as to enable the fishermen to prosecute their avocation with some degree of safety and success; and if there is any intention of giving a grant, as similarly recommended, for erecting a lighthouse on Thupman Head adjacent to Portnaguran?

MR. A. J. BALFOUR: I shall be obliged if the hon. Member will put off this question until to-morrow or Thurs-

day, and I will obtain full information from the Scotch Office on the subject.

BEHRING SEA FISHERIES.

MR. BRYCE (Aberdeen, S.): Seeing the Under Secretary of State for Foreign Affairs in his place, I beg to ask him a question of which I have given him private notice—whether he can inform the House what is the present state of the negotiations in reference to the Behring Sea Fisheries question—how far they have progressed towards arbitration?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): In reply to the hon. Gentleman, I have to say that complete accord has been arrived at between Her Majesty's Government and the Government of the United States as to the *modus vivendi* pending a settlement by arbitration of the matters in dispute relating to Behring Sea Fisheries. The Convention has been signed at Washington, but the terms of it have not yet reached this country. I have, however, no reason to suppose that the document in the telegram from America which appeared a few days ago in the *Times* is in any respect inaccurate. Her Majesty's Government are taking steps to consult the Canadian Government in regard to the person whom they wish to recommend to Her Majesty's Government as one of the British arbitrators. The name of the gentleman who will arbitrate on behalf of Her Majesty's Government has not yet been definitely fixed.

NEW WRIT.

For County of Essex (Mid or Chelmsford Division) *v.* William James Beadel, esquire, deceased.—(*Mr. Akers Douglas.*)

ORDERS OF THE DAY.

INDIAN COUNCILS ACT (1861) AMENDMENT BILL [*Lords*].—(No. 182.)

COMMITTEE. [*Progress 11th April.*]

Considered in Committee.

(In the Committee.)

Clause 1.

*(3.45.) MR. SCHWANN (Manchester, N.): I do not propose in

moving my Amendment to recapitulate all the arguments used on the Second Reading of the Bill; it is not necessary or desirable, and I should be trifling with the time of the Committee were I to attempt it. Yet I may be allowed to say that I think I was able on that occasion to prove pretty successfully that the elective principle is not at all new in India. I could even bring forward authorities to show that the very origin of the principle is from the East. But I do not wish to occupy time with a matter more or less of an academical character. I further showed that the elective principle is actually at work in Municipalities and Local Boards in India, and I think the number of these institutions which exist there is calculated to astonish some hon. Members. I was able to show from the evidence of Indian officials that the working of these Municipalities had been eminently successful and I also showed that the members of the Indian National Congress, which gives expression to an important section of Indian opinion, is an elective institution, the members being all elected in free and open meeting. Further, I was able to show that the elective principle has been recommended by a number of Viceroys who have rendered distinguished services to the Empire and to India. It was partially recommended to the Home Government by Lord Dufferin. Lord Northbrook accepted the principle with scarcely any qualification, and Lord Ripon, as we all know, has always been in favour of the principle, which has also the recommendation of Lord Reay, a distinguished Indian Governor. I was also able to show that a considerable number of Indian civil officials favoured the extension of the elective principle, Mr. H. J. Reynolds, C.I.E., Mr. Cotton, for 25 years a member of the Civil Service, and others. I am bound to say I think that all these authorities combined form a strong body of evidence, which ought to convince this Committee that it would be desirable to extend the elective principle in the formation of Indian Councils. I was rather amused by some of the comments in the English Press, which go far to prove that a great number of the writers did not even take the trouble to

read the Debate on the Second Reading *in extenso*, for they ascribed to Indian reformers firstly the desire to destroy the actual mode of government in India by introducing full Parliamentary government into India; secondly, they impute to us the wish that the people of India, or their elected representatives, should have the complete power of the purse; thirdly, that the official body should be placed in a minority in the Councils of India. Now, these comments remind me of the definition of a crab as "a red fish which walks backwards;" a definition which is quite perfect as a definition were it not for the facts that a crab is not red, is not a fish, and does not walk backwards. So I may say of the arguments placed in the mouths of Indian reformers, who advocate the elective principle for members of the various Indian Councils: they would apply admirably but for the fact that we are not anxious to introduce Parliamentary government in India. To do so at the present time would be ridiculous and absurd. It never has been advocated by any politician taking a serious interest in Indian affairs. We have never dreamed of giving the elective body the power of the purse; but it is the object of Indian reformers, and their friends on this side of the House, so to extend the Bill now before us that it shall give to these Councils full liberty to discuss financial questions, and that is a point upon which we shall insist from these Benches. We think that greater facilities should be given, than the Bill now affords, for this purpose, and that it should be possible to take divisions on proposals before the Viceregal Council on financial matters; that members of the Council should be free to put questions and to call for papers, so as to enable enlightened criticism to be directed upon proposals in the Vice-Regal Council. We are not anxious to put the official element in a minority on these Councils; but, on the contrary it has always been suggested by the National Congress, that the elected members on the Indian Councils should not be more than one-half or less than one-third of the total number of the members of Council, so as to leave the Government of India always with a

majority of votes. So all the arguments directed against our proposals fall pointlessly to the ground. It may be asked, "Why are you anxious for elected representation on the Indian Councils?" Why, Sir, for very much the same reasons which animated English reformers 60 years ago, when they advocated a large increase of the franchise. In those days of a narrow franchise and pocket boroughs it was asked by Tories, "If you give the franchise to a larger number of people, how will that affect the economic conditions of the working men—how will it increase the happiness of the labouring classes?" But since then we have seen the wonderful effect that has followed from the extension of the franchise in the United Kingdom. We have seen the Corn Laws abolished; we have seen the right of combination given to the labouring classes, the liberty of the Press established, the right of free meeting, free education, secured to the people, their economic position vastly improved. All these things, I believe, have flowed from the extension of the franchise in England; and it is just because we believe that the economic position of India requires more serious attention, and that its own inhabitants are more likely to drive home the arguments by which the requirements of India are supported, that we ask you to concede this extension of the elective principle. I am quite aware that Anglo-Indian opinion in India will be opposed to such an extension, as expressed by the Anglo-Indian Press. That Press, it seems to me, neglects, to a large extent, its duty in India, where it might do much noble work in diminishing the differences and smoothing the difficulties which must inevitably arise in such a country as India. The Anglo-Indian Press does all it can to increase those difficulties, and daily pours the virus of race hatred into the veins of the Anglo-Indian community. Deeply I regret that this should be so, and I hope the Press may in the future turn over a new leaf. There are various sections of Anglo-Indian society naturally opposed to the introduction of the elective principle by Indian reformers, whose watchwords are similar to those of reformers

in England, "Peace, Retrenchment, and Reform." The military classes are, speaking generally, opposed to peace; their interests are in the direction of active service and a "forward" policy—as they term it. The Civil Service is against retrenchment, because it might possibly happen that this retrenchment would take the form of a considerable curtailment of the salaries paid out of Indian Revenue. I believe one of my hon. Friends who spoke in the Second Reading Debate referred to the Return, issued on the Motion of the late Mr. John Bright, in which it was shown that out of 68,000 Europeans in India 25,000 were Government officials, who amongst them divided the sum of 13 millions sterling in salaries and emoluments, &c., annually. The commercial classes instinctively fear reforms and changes, the introduction of which may, and occasionally must, interfere with the natural flow of trade. Among this class are men who, having crossed the Indian Ocean with little means, have no sooner been in India for a few years, and put together a few lakhs of rupees, than they think it necessary to vilify and attack the people in whose country they have so advantageously improved their own position. Lawyers, too, dislike competition with the nimble-witted Baboo. I think the Indian Government will require all the assistance of this House to enable it to advance against the impediments which will be thrown in its way by interested classes, and against difficulties raised by Anglo-Indian prejudice. We are told that the elective principle is contained in the present Bill; but even with microscopical examination it is scarcely possible to find it. It is supposed to be contained in the 4th sub-section of this clause, which runs as follows:—

"The Governor General in Council may from time to time on the approval of the Secretary of State in Council make regulations as to the conditions under which such nominations, or any of them, shall be made by the Governor General, Governors, and Lieutenant-Governors respectively, and prescribe the manner in which such regulations shall be carried into effect."

Now, I am quite willing to believe it would be possible, under this sub-

section, to introduce an arrangement to allow a certain number of men to be elected by large cities, or by various bodies, to the Legislative Councils; but it is equally evident that this section of the clause gives no distinct pledge to this House or the country. Mr. H. J. Reynolds, C.I.E., in a lecture delivered a short time ago, since the passing of the Second Reading, described these concessions as "utterly inadequate," and as having "aroused feelings of indignation and contempt." I am bound to say I think these feelings of indignation and contempt will be shared by a considerable number of the Indian people, and by my Amendments I propose to give the Government the opportunity of incorporating and including the elective principle formally in their Bill, and of giving proof of the sincerity of their intentions. Whatever may be the fate of my Amendments, I am glad to think that some assurances have been given both in this House and in another place which will, I trust, eventually lead to a large extension of the elective principle. We all know that the hon. Gentleman who has charge of the Bill in this House was not very re-assuring as to what the Government would do; but still he did give us to understand that to a large extent there was an intention to introduce the elective principle. Now, Lord Salisbury, too, in another place, has given a general assent, I believe, to the interpretation put by Lord Kimberley on some remarks of Lord Cross, which gave considerable latitude to the clause to which I have referred. The Marquess of Salisbury said—

"I rise for the purpose of expressing my general assent to the language which has been used by the noble Lord (Lord Northbrook). I quite agree with him that the word 'representation' better represents the intention we have in view than the more narrow word 'election.' I desire to correct the idea that this extra representation in the Legislative Councils is to be necessarily confined, or even specifically confined, to Municipal Bodies. I do not in the least desire to narrow the language or elasticity of the Bill in the direction of discouraging such bodies; but I must demur to the idea that they must necessarily be the main bodies in India to whom this additional representation must be given."

I quite agree with the Marquess of Salisbury, because it is quite evident

that it would probably be very undesirable that the same people who were elected on the Municipal Bodies should be chosen to select in the large cities the persons who should be sent as representatives to either the Provincial or Legislative Councils. The municipal elections would be carried out with a different object in view—with the object of looking after the sanitary arrangements, &c., &c., of large towns, popular education, and matters of that kind; but these would be a different sort of men possibly from those who might be elected for the higher duties of taking part in the Provincial and Legislative Councils. In the case of many of the bodies in India—the Chambers of Commerce, for example, and the Universities—those who sit on them are nearly all nominate members themselves; and anything emanating from them would hardly be considered to emanate from the people themselves, or to constitute a true, or indeed any, representation of the people. There was a suggestion made by the hon. Baronet the Member for Evesham (Sir R. Temple) on the other side of the House. He thinks it advisable to select 16 large cities, and to take care that such cities should cover every possible variety of opinion, and that they should be instructed to send members to the Provincial and Legislative Councils. That is a suggestion which may or may not be carried out; but I believe that, to a certain extent, it would meet the views of many Indian reformers if such a step were taken. I am glad to think that Lord Salisbury, in the remarks which I have quoted, has, at any rate, made an advance on the position which he has taken up on former occasions with respect to Indian reform. I hope the “black man” controversy is closed, and that the noble Marquess will never again be heard to use words so calculated to wound the feelings of the great body of our fellow-citizens in India. I think he also stated before that the idea of election was entirely foreign to the Indian mind and to Indian institutions. If so, it would seem to me that his recent speech, and what he allowed to pass with his tacit approval in another

place, show that he now takes, I hope, a broader view both of his own and our duties and responsibilities in India. I am glad to think that the right hon. Gentleman the Member for Midlothian has also given us very clear indication as to what we may expect from any Government of which he may be at the head, by the terms in which he referred to the employment of the elective principle in India during the recent debate in this House. Although I do not wish to occupy the time of the House by reading many long extracts from what he said, I think I should put on record the pledges which he made to this House on that occasion. Speaking in the Debate on the Second Reading of this Bill the right hon. Gentleman said—

“It is quite evident that the great question we have before us is the question of the introduction of the elective element into the Government of India. That question overshadows and absorbs everything else; it is a question of vital importance. While the language of the Bill cannot be said to embody the elective principle, it is very peculiar language, unless it is intended to pave the way for the adoption of that principle. I believe it was suggested by a nobleman in the House of Lords, who is friendly to the elective principle in India, that unless it had been intended to leave room for some peculiarities not yet introduced into the Indian system, in the appointment of the members of the Councils under this Bill, it would have been a very singular form of speech to provide not simply that the Governor-General might nominate, but that he might make regulations as to the conditions under which such nominations should be made, either by himself or by the Government in Council. It is plain, I think we must assume, that those who have adopted the language have in their view something beyond mere nomination. What I desire, above all, is not that there shall be produced at the moment an imposing and magnificent structure, but that there shall be the introduction of that which in itself is in real sympathy with the hearts and minds of the people of India. All these things induce us to look forward cheerfully to a great future for India, and to expect that a real success will attend the genuine application, even though it may be a limited one, of the elective principle to the Government of that vast and almost immeasurable community. My hon. Friend, in moving the Amendment, has pointed out authorities in favour of the elective principle, these including men who have been responsible for the actual administration of India. These men, notwithstanding that responsibility, have entirely exempted themselves from whatever prejudices administration may have entailed on them, and they have distinctly and deliberately sanctioned the introduction of this

elective principle. It is there that we stand upon solid ground, and Her Majesty's Government ought to understand that it will be regarded as a most grave disappointment if, after all the assurances we have received that an attempt will be made to bring into operation this powerful engine of government, there should not be some result such as we anticipate from their action."

And then he says—

"I do not think there is on that (the Government) side of the House any jealousy of the introduction into India of that principle, which undoubtedly, if it did exist, would form a strong mark of difference between the Party who sit there and the Party who sit on this side of the House. In reality and in substance we have the same objects in view, and are prepared to recommend the employment of the same means."

Well, I think that these extracts, though they are, perhaps, a little too long, seem to me to pledge the right hon. Gentleman the Member for Midlothian up to the hilt to effective action on this question. The Duke of Devonshire, then Lord Hartington, when replying to a deputation some years ago, also spoke in favour of the introduction of the elective principle into the Councils of India. I am led to believe, Sir, that the elective principle, is necessary; and I think it would be a great advantage to India if it were introduced with respect to the persons selected for the Provincial and Legislative Councils of India. There is one, other, last reason why I think this reform should be carried out. In the time of the East India Company Parliament was especially watchful of the Government of India; and on the renewal of the Charter every 30 years the most searching inquiry was made into all the abuses which could be alleged against the East India Company. I believe Burke said that it was the first duty of a Member of Parliament to be very jealous of the Executive Government; and I trust that the Members of this House will take a considerable interest in the affairs of India. They have been far too much neglected in past years. The Debate on the Indian Budget has always been postponed to the Dog Days; and it is high time that new methods and a new system should be introduced into this House. I have much pleasure in moving my Amendment.

Amendment proposed, in page 1, line 5, after the word "Council," to insert the words "elected as hereinafter provided for, and."—(*Mr. Schwann.*)

Question proposed, "That those words be there inserted."

*(4.12.) THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): I observe that the hon. Member has devoted the greater part of his speech to a general discussion on the merits of the elective system in India and to other topics of Indian or Anglo-Indian interest rather than to a recommendation of the particular scheme of election, as I understand, which he desires to graft on this Bill. From the wording of his Amendment, which runs, "elected as hereinafter provided for," I should gather that the whole of his electoral scheme is comprehended in this Amendment; and supposing his Amendment, as I trust it will be, is rejected by the Committee, there will go at one sweep all the other Amendments which he proposes to introduce into the Bill, and which define the electoral system he here refers to in general terms. I think, therefore, it will be my duty, and I think it will be to the advantage of the Committee, if I take the elective system "as hereinafter provided for," which the hon. Member refers to, and state at once the reasons for which it is impossible for the Government to accept it, or to allow this Amendment to appear in the Bill. Now the hon. Member proposes by means of this Amendment to graft an injunction on to the Bill embodying an extensive electoral scheme. In the first place he proposes a large number of additional members on the Councils, of whom not less than one-third nor more than one-half is to be elected. It is not my duty to discuss that point now, because it obviously arises upon a later Amendment which the hon. Member may be perfectly willing to move, whether his views as to election are entertained or not. In the next place he leaves the nature of the constituency in his electoral scheme, and also the actual number of persons to be elected, to be determined by the Viceroy. He then refers to what he

euphemistically describes as "the reasonable representation of minorities." Under his proposal election is to be by ballot, and the franchise is to be conferred on not less than two per cent. of the inhabitants of the territory under the Council in question. And, finally, those gentlemen who are elected to the Councils are to hold office for a period of three years. That, Sir, is the elaborate and complicated, but I think, also, the diffident and ambiguous, system of election which comes under the head of these words "elected as hereinafter provided for," and which the hon. Member wants to introduce into this Bill. Now I am placed in some difficulty in discussing these questions because the hon. Member, having, as I have said, devoted the whole of his speech to purely general considerations which appear to me only to touch the fringe of the subject, has failed altogether to give the Committee any information upon the nature of these proposals or upon the reasons which led him to make them. These proposals are not, so far as I know, the offspring of the hon. Member's own ingenuity. They are taken verbatim from the second of the two Indian Councils Bills, introduced into this House by the late hon. Member for Northampton (Mr. Bradlaugh). Now, Sir, the Government are absolutely unable to accept this elaborate electoral scheme as being altogether outside what they consider the legitimate province of interference of this House with the Government of India, and as altogether outside the scope of this Bill. The object of the Government, and the object of this Bill, as I explained in the Debate on the Second Reading, is, in so far as the elective principle is capable of being introduced into India, to leave the manner, the date, and the mode of its introduction absolutely to the Viceroy. They are unwilling to interfere with his discretion in the matter. That is the intention of the Government, and that it is also a wise intention was recognised by no less an authority than the right hon. Gentleman the Member for Midlothian himself. The hon. Gentleman who has just spoken has quoted from that right hon. Gentleman; but he did not quote the most significant

part of his speech; and from the extract which the hon. Member gave, if it stood alone, one might draw a totally different inference from that speech from what the right hon. Gentleman himself intended to convey by it. What did the right hon. Gentleman the Member for Midlothian say? He spoke as follows:—

"I think I may fairly say that what the hon. Gentleman the Under Secretary did embody in his speech was the elective principle in the only sense in which he could be expected to embody it. My construction of that speech is—and I do not think it admitted of two constructions, especially considering the reference the hon. Gentleman made to the speeches of Lord Kimberley—my construction of that speech is that it is the intention of the Government and the intention of the House of Lords, in which we are now invited to concur, that a serious effort shall be made to consider carefully those elements which India in its present condition may furnish for the introduction into the Councils of India of the elective principle. Now, Sir, if that effort is to be made, by whom is it to be made? I do not think it can be made by this House except through the medium of empowering provisions. I doubt if it would be well or wise on our part, with our imperfect knowledge, to proceed with the determination of the particulars of any plan. The best course we could take would be to commend to the authorities of India what is a clear indication of the principles on which we desire them to proceed. It is not our business to devise machinery for the purpose of Indian Government; it is our business to give to those who represent Her Majesty in India ample information as to what we believe to be sound principles of government; and it is, of course, the function of this House to comment upon any case in which we may think they have failed to give due effect to those principles. But in the discharge of their high administrative functions, or as to the choice of means, we should leave that in their hands."

Well, these were the opinions of the right hon. Gentleman the Member for Midlothian. I understood they were accepted on that side of the House, and undoubtedly it was in deference to these opinions that the Amendment of the hon. Gentleman himself was withdrawn. But I am bound to point out that if the Amendment which he is now moving were carried it would be absolutely fatal to this Bill, and it would be taking up an attitude wholly inconsistent with the attitude which he adopted two or three weeks ago. As regards the general disquisitions with which the hon. Member favoured us about the advantages of the electoral system to India, it is not my desire to

repeat the reasons which I endeavoured to state before, why the Government believe that a general scheme of representative government is wholly impossible in that country. I endeavoured to point out then, and the hon. Baronet the Member for Evesham pointed out with much greater knowledge and ability than I can command, that the idea is essentially foreign to the Oriental mind, that there are many classes in India to whom it would be not only uncongenial but to whom it would be absolutely repugnant, that no scheme could be devised which would in any degree represent the people of India, and that it is very doubtful whether we have any right to speak of the people of India at all if any unity or homogeneousness is supposed to be predicated by such a title. I will not repeat those general considerations upon this occasion; I will only allude to one observation which fell from the hon. Member in his speech just now. He said that the elective principle was already actively at work in the Municipalities of India, and that the result showed that it had been eminently successful. But these elected bodies are still upon their trial; and the system has not been universally applied. In many cases the Government have had to make other arrangements because the system is not understood, and not appreciated, and not desired by the people. It has not been received with any enthusiasm in India. It has been found that the people are very apathetic about its adoption, and that they cannot assimilate the idea of election at all readily, that many of the best men—the traders and business men—have held aloof, that it is very difficult to get the best men to come forward if elected, and that in many cases obstacles are raised where there is any difference of religious opinion, as for instance in the cases of Hindoos and Mahomedans. Therefore, I think that argument is not one of very great value. Now as regards the scheme of the hon. Member itself. With regard to the question of additional members, as I have said, I shall leave that point for discussion upon a later Amendment. The hon. Member is prepared to leave the question of the constituencies entirely to the Viceroy. Well,

that shows that he has a confidence in the Viceroy, which must no doubt be very complimentary to that statesman; but it also shows that he has a diffidence in himself which is highly significant; and all the more so when contrasted with the minute instructions on certain particulars that he has introduced into his scheme. The attitude of the hon. Member appears to me to be like that of a man giving an order for a church to an architect, who insists upon certain small details, such as the arrangement of the pews and the reredos, but leaves entirely to the judgment of the architect what the style of the architecture is to be, whether Gothic, or Palla-dian, or Romanesque. Then the hon. Gentleman asks for the reasonable representation of minorities. But what would be regarded as reasonable representation by a Hindoo would not be regarded as reasonable representation by a Mussulman, and what would be regarded as reasonable representation by a Brahmin would not be regarded as reasonable representation by a Parsee. Why, even in this country we have not yet succeeded in arriving at a reasonable scheme of representation of minorities. The next provision of the hon. Member's scheme is that the franchise is to be bestowed on not less than two per cent. of the inhabitants of the district in question. Has the hon. Gentleman any idea whatever of how that plan would work out in practice? We believe it to be utterly fantastic, and that it would be extending the franchise in India far below the lowest point which has ever yet been touched in England after the lapse of centuries. Take the case of the North-West Provinces, where already a Council exists. In that district the total number of persons who can read or write any of the elementary native tongues, including those who are under instruction at school, is under three per cent. I presume the hon. Member does not propose to extend the franchise to those who are at school. This proposal, therefore, would give every man in that country who can read or write the right to vote at an election. After the lapse of centuries we have not yet arrived at manhood suffrage in

England; and yet the hon. Member coolly proposes to introduce a system into India which descends to an even lower point in the intellectual scale. The next item in the proposal is that the members of the elected body should hold office for three years, and that point will probably be dealt with when the hon. Member moves an Amendment on the subject later on. Without repeating my remarks on the general subject, but dealing with the scheme as it is adumbrated by the hon. Member, I hope I have shown that it is an ill-digested scheme, and, if carried into operation, would be found unworkable. If this particular Amendment were carried out it would be incompatible with the object of this Bill, and with the interpretation placed upon it by the right hon. Gentleman the Member for Midlothian, and would be antagonistic to the cause of good government in India.

(4.30.) MR. MORTON (Peterborough): I think it is the duty of the House to say how India shall be governed as it has done in the case of our other Colonies. We should bear in mind what the feelings of the people of India are upon this subject. So far as I have been able to gather, they ask to be allowed to elect at least one-half of the members of the Councils, and I cannot for the life of me understand why we cannot consent to the adoption of such a moderate request, especially bearing in mind that the Councils of India have not much to do with the government of the country. We are now educating, or we are attempting to educate, the people of India, and we are asking that they shall be given some small share in the government of their country. The people of India ask for it themselves through British residents in that country who understand it well, and who say that there are a sufficient number of people educated in India who might be safely entrusted with a more active share in the government of the country. There can be no doubt whatever that there are at the present time a large number of people in India who are demanding what is called Home Rule in that country, and the adoption of the elective principle is desired with the view of preventing a much larger and more unfortunate

question arising by-and-by. The hon. Gentleman who moved this Amendment referred to the Local Boards, and he said that they are working satisfactorily and with considerable success. The hon. Gentleman the Under Secretary for India denied that they are working well, but he failed to give a single case in support of his statement. I therefore take it that the assertion of the hon. Member is worth more than that of the Under Secretary for India. The people of India may rest assured that when the Radicals of this country come into power—as they will no doubt before long—they will do what is just and right towards them, and enable them to assist in governing their own country in a better manner than it is governed at the present time. Instead of India then being a source of weakness to this country it will be strong enough to protect itself against any outside foe. So far as we can see, the present Government are opposed to the adoption of the elective principle in India, although the people of that country are asking for it. I trust, however, that the people of India will go on asking for its adoption in the reasonable and temperate manner in which they have asked for it at their Conferences during the past five or six years, and that before long we shall be able, owing to their advanced state of education, to grant them their request.

(4.42.) MR. BRYCE (Aberdeen, S.): I agree very warmly with the desire that the elective principle should be recognised, and that the Government should find some means of adopting it in India. Eminent English officials in that country say that one of the greatest difficulties that our Government have to encounter in that country is that of ascertaining what the feeling of the people really is. It is undoubtedly the opinion of the Government (as it is of the Viceroy) that the reforms proposed by this Bill will enable the Government of India to ascertain more fully and in a more authoritative way than before what the opinion of the population is, and what their wishes and feelings are with regard to the various questions affecting them which come before the Legislature. It is perfectly true—as has been said by

the Under Secretary for India—that the feelings of the Oriental population with regard to this question of nomination and election are almost entirely opposite to the feelings of the people here, but it is also true that the elective principle has many advantages over the nominative principle. The elected member is above the feeling that he must conform to the wishes of those who appoint him. Those who know only a little about India must be aware that the nominated members of the Councils in India feel themselves bound to act in accordance with the wishes of those who appoint them. There have, of course, been some remarkable exceptions, but on the whole they feel a certain difficulty in opposing measures which the Government introduce, or in expressing themselves with the requisite freedom with regard to them. It is certainly, therefore, desirable that there should be an independent expression of opinion on the Councils, and I think that can only be obtained by adopting the elective principle. The value of an independent opinion would be very much diminished if the people of India did not believe that it sprung from the genuine feeling of those who represented them. For that reason, and for other reasons that I need not go into, I believe that there are many Members of this House—and I need not confine my remarks to this House alone—who desire to see the elective principle largely introduced into India, and who also feel a very strong and confident hope that it will be introduced into that country. We know that eminent officials hold such views, and we have no reason to believe that the opinion of the present Viceroy is at variance with them. I, for one, should be extremely glad if the House had the opportunity of asserting that principle. But how do we stand with regard to the question now? My hon. Friend the Member for Manchester comes before us with a series of Amendments, and some of the points he raises relates to matters which would require a great deal of debate.

MR. CURZON: The hon. Member would commit the House to the adoption of the system of election.

MR. BRYCE: I should hardly think that would be so. Possibly Mr. Courtney could tell us whether it would be so.

THE CHAIRMAN (Mr. COURTNEY, Cornwall, Bodmin): The Amendment indicates that something must be done, but it does not say what.

MR. BRYCE: I should be sorry to tie the hands of the Indian Government by any specific Amendment, and to make them unwilling to do what they might otherwise be willing to do in a large and generous way. On the Motion for the Second Reading of this Bill the Under Secretary for India said it would be competent for the Governor General in the interpretation of this Bill, if so advised, to introduce the elective principle. Therefore, although I feel as strongly as any Member on this question, I shall be unable to support the Amendment of the hon. Member, and I would ask him not to divide the Committee upon it.

*(4.57.) MR. SEYMOUR KEAY (Elgin and Nairn): If the hon. and learned Member who has just sat down (Mr. Bryce) had more personal knowledge than he possesses of the system under which our Indian bureaucracy now works, he would not entertain the hope which he has just expressed that there ever will be any practical application of the elective principle which is said to exist in theory in this Bill. The only clause which is supposed to contain such a principle, even in theory, is not to be put in force unless on the initiative of the Indian Government itself. Now, I am convinced from a very long personal experience in India, extending over 30 years, that the system of government in that country is such as would render it perfectly hopeless and impossible for any Government, however courageous it might be, to put such a principle in motion of its own accord. I desire to remind the Committee of a circumstance which I think is of great gravity, but which, I believe, has not been mentioned in the Debates upon this Bill. It is that the need for the introduction of the elective principle has greatly increased rather than lessened, as compared with 35 years ago. Her Majesty's Government and this House were then held to possess something of the

position of a Judge as to the doings of the Indian Company. The Board of Control, although it was not altogether efficient, still had considerable effect as a Court of Review, and Her Majesty's Government and this House also were inclined to view with jealousy the exercise of irresponsible power by the Government at Calcutta. In the days of the East India Company its proceedings were periodically reviewed in this country. Every 20 years the Charter had to be renewed, and on such occasions the Company was put more or less on its defence. But now all that is altered. The Board of Control has gone; there are no Charter renewals now; and Her Majesty's Government has meantime so changed its attitude that it has now practically become the advocate of the Government of India instead of, as formerly, its Judge. For this reason I say there is a strong official argument that the time has come when the voice of the people of India should be heard in the Legislative Council of India. I do not believe that the Secretary of State for India, as his office is at present constituted, is really aware how little information is afforded to Her Majesty's Government by what I may call the rank and file of the officials of the Government of India. I say there has grown up a system whereby all adverse Reports made by district officials are at this moment "burked" on their way to the Governors of the Presidencies, or, at all events, to the Governor General. At this moment, in provincial centres such as Commissionerships, there are pigeon-holes cram-full of documents which have been "burked" in the way I have mentioned, because of their pessimistic character. The reason is not far to seek. Under such a system as obtains in India the collection of Revenue is the end and aim of the existence of the Government; and that being so, it is perfectly natural that a district officer, impressed with the increasing poverty of the people, who writes a Report for the consideration of the Government, should be discouraged in every possible way from putting that document forward. Indeed, I have known instances where such an officer, impressed by the wants and even by the starvation of the people, has, when

his Report has reached head-quarters, found that the writing of such Reports was not the best way of finding promotion in his service. That feeling has now got abroad, and the result is that fewer and fewer adverse Reports are written by Anglo-Indian officials every year. Hence it is perfectly clear that the necessity for hearing the views of the population by their own mouthpieces yearly increases. Can the right hon. Gentleman opposite explain why the Government of India, through its officers, is so extremely jealous of allowing the people to express their views in the manner proposed? Is the right hon. Gentleman aware that at the present moment in the State of Mysore there is an elected body of cultivators which meets, discusses, and has published reports of its proceedings? I have often referred with the greatest pleasure and profit to the information which is thus supplied to the Native Ruler by the cultivators rising in their places and plainly declaring what are their real wants and woes. Will the right hon. Gentleman say whether the Secretary of State for India has any objection to a Motion whereby, if the elective principle be not directly applied to the Legislative Council, a proviso may be introduced authorising or directing an assemblage of the representative cultivators for the Provinces of British India similar to that which takes place in Mysore? If there still is, as in the past, a rooted objection on the part of the Government of India to sanction such a scheme, I venture to say that no intelligible reason can be stated for such an attitude, unless it be that our rulers fear rather than desire to know the truth. If such representative bodies are created, I believe that the information which will be supplied to their rulers will not only be most valuable, but will be such as to stagger the Government of India itself, and bring to it knowledge which it at present excludes from its consideration as only existing in the minds of certain members of the Indian Congress, of whose views it contemptuously takes no account. I could mention other States in which the representative principle has been accepted, and is working, although in

Mr. Seymour Keay

a small degree, very happily. There is only one further point to which I want to refer, and that is the enormous difficulty at present existing as to anything like a true publication even of the official Reports such as they are. I adduce this also in support of the contention that the Government of India is not duly made aware of the wants of the people. I could point out instance after instance in which Reports of a melancholy or pessimistic nature have, when they came to be alluded to in the interesting volume called *The Return of the Moral and Material Progress of India*, had their character rendered the reverse of that which was intended when they were launched by those responsible for them. If I may venture to count my 30 years' experience as anything, I caution the Committee against refusing this Amendment; because if we refuse to give the people of India an outlet for the expression of their views and wants, I have no hesitation in saying that a crisis—nay, even a catastrophe—will occur in a very few years' time, not in consequence of race disaffection or anything of that kind, but from increasing poverty, decadence of the soil, absence of manure, the reduction of cattle, and the starvation of the people, which will necessarily subvert the very foundations of our enormously expensive Indian Government.

*MR. S. SMITH (Flintshire): I do not think the House possesses an experience of Indian affairs which will justify us in laying down a general scheme of election; but, at the same time, I consider that we should clearly urge the Government of India to introduce the elective principle in some form. I, for my part, should be satisfied if we had one single Amendment asking the Government of India to add to the Council a certain number of elected members, leaving that Government a free hand to devise the machinery by which members shall be elected. I think, too, we might also leave to them to fix the number. I feel strongly the truth of much that has fallen from the hon. Gentleman who has just sat down, and agree that we must provide an outlet for the expression of the griev-

ances of the people, which are deeper than this House is aware of. I also share in those dark forebodings, because I do believe that most of the people are suffering from excessive poverty, and I am convinced that India abounds with serious discontent, which will never find adequate expression until there is some application of the electoral principle. Therefore I hope the House will use this opportunity of instructing the Government of India to adopt the representative principle in some form or other, and especially so seeing that it may be many years before we have such an opportunity again. I think we shall be committing a great mistake, indeed a dereliction of duty, if we do not give definite intimation that it is the opinion of this House that there should now be an inception in India of the principle under discussion. I think that the Bill should be more explicit, knowing, as I do, the unwillingness of the Indian Government to have its prerogatives interfered with, and I very much doubt whether there will be any practical result in the absence of definite instructions.

SIR R. TEMPLE (Worcester, Evesham): I had hoped that, after the judicious speech made by the hon. Gentleman opposite the Member for Aberdeen (Mr. Bryce), the hon. Member the Mover of this Amendment (Mr. Schwann), would have been brought once more to the judicious manner in which he acted on a similar occasion; but such, it seems, is not to be our fate. Hence it is necessary that someone on this side of the House should say a few words in support of the Government measure. In reference to what has just fallen from the hon. Member, I hope the Under Secretary of State will not say one word more than he has already said, for I venture to think that, according to the best opinion in India, as much has been said on the subject as can be said at the present time. As the House is kind enough to remember, I am rather in favour of the introduction of such a principle; but I am above all things a practical person; and I am very well aware of the extreme distrust and apprehension with which this measure is viewed by many,

both at home and abroad, for whose opinion I have the greatest respect. In my opinion this Bill paves the way for the introduction of the principle, and it leaves matters to the resident Executive. That is just as it should be. One great difficulty in this matter—and remember I speak as a man who is somewhat in favour of the principle—is that nobody in India among the vast congeries of population, except one limited class, the Indian Congress, cares anything for the elective principle. That is a class for whom I have the highest respect and regard, and I shall not repeat all I have said during previous Debates in this House to show that it represents nothing but itself. The great defect of the Congress is that it never has succeeded in acquiring popularity from its own countrymen, or attaching to itself the confidence of the people of India. This Amendment would thoroughly commit the House to the very principle which was argued in the Debate on the Second Reading, and which we had hoped was laid to rest. According to the Bill the introduction of the elective principle was to be left to the Government of India, whereas this Amendment absolutely commits the Government to the principle. Why, if this Amendment were carried, the Government of India would have no option but to at once proceed to have elected members of the Council, and its effect would be to say the Council shall consist of elected members. Then, of course, there must be some sort of election, and I venture to say that the system which has been adumbrated is nothing more than the most shadowy outline of a possible electoral system for a vast country comprising the most indistinct terms. But, whatever it foreshadowed, it would commit the Governor General to a system of constituencies, and I confidently assert that no human wit can devise a system of constituencies for such a country. How is the House to send out to India a specific instruction to set up a system of which we have no idea whatever as to how it could be worked, or carried out, or even introduced? In this scheme there is one particular point to which the Under Secretary of State for India referred. It was this. The hon. Member proposes that not less

than two per cent. of the population should be enfranchised. That proposal looks mild at first sight, but really it means a great deal. Take, for instance, the North-West Provinces. There two per cent. of the population would mean 620,000 electors, and I do not know where the Lieutenant-Governor of those Provinces would find them. Then take such a country as Bengal, where one would have to find 1,100,000 electors. I do not know where they could be found, and I, who have governed that country, assert that they could not be found. You would have to drag them from the highways and bye-ways, and when you got them would find it impossible for them to understand what the system meant. In the other Provinces there would be still greater difficulty. This is my main objection to the Amendment, but there are one or two points which seem to call for passing reference. The hon. Member for Manchester quoted the words of the European Press, and spoke disparagingly of them.

MR. SCHWANN: Anglo-Indian.

SIR R. TEMPLE: Yes; they are European though, just as much as we are. They are our countrymen, educated here and born here; and by what right, then, does the hon. Member speak of them as Anglo-Indians and not as Europeans? He said that they were opposed to the principle of the electoral system, and that they had failed to do their duty to the people of India because they refused to recommend the adoption of the electoral principle. I say their conduct demands our respect, because they are independent Englishmen, capable of judging and understanding the state of affairs, whose advice should be accepted by the House. They live in the country, and knowing the dangers and various pitfalls are not prepared to approve of what is proposed. Well, Sir, something has been said by more than one Member about his unwillingness to introduce the system of Parliamentary government. Hardly had the words escaped the hon. Member's lips when another hon. Member below the Gangway said he did wish to introduce that system or something like Home Rule. Now, it might be

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true that in the first instance the hon. Member for Manchester, who moved the Amendment, did not wish to introduce Parliamentary government. He knows very well that it would not do in India. Those who have to fight and defend the country are the people with whom the responsibility of government must rest, and those who know India best know that for valour and energy they must look principally to the European Administrators there. The hon. Member for Manchester must know all this. And, therefore, he may not be desirous to immediately introduce the Parliamentary system. But what he wishes to do is to prepare such a Council for the government of India as would be able to bring pressure to bear upon the Viceroy, who, although he alone was responsible for the safety and welfare of the country, would, nevertheless, be bound by bonds that would oblige him to regulate the Government by a Parliamentary system. The hon. Member also knows what that means. It is to gradually prepare the bonds which, although loose at first, would, if accepted by the European Samson, gradually be drawn tighter until at last he has become *Samson Agonistes*. How would it all end? It would end in the natives having all the power and the benefit of British rule, whilst we should alone have to bear the onerous burden of responsibility. Now, Sir, I will conclude by saying that you can no more speak of the people of India than of the people of Europe or of Asia. There is in India a vast congeries of population. It is a sort of *colluvies gentium*, of which no parallel is to be found on the European Continent. The fact is, India is made up of peoples of various nationalities and habits of thought, languages, and religious observances, which have no sympathy the one with the other. The delicate Bengalee differs from the sturdy yeoman of the North-Western Provinces. He again differs from the martial and loyal Sikh of the Punjab and from other races of the country. They are united in nothing except the golden bond of British rule and loyalty to the Queen-Empress of India.

*(5.40.) MR. SCHWANN: I do not wish to detain the Committee at any

length, but I should like to reply to the remarks of the hon. Baronet so far as many Hindoo gentlemen are concerned. I maintain that during the Indian Mutiny there were wonderful examples of heroism shown by Indian gentlemen and officials, who, at the risk of their own lives, did much to defend and save the lives of others. I think it would be a shame to allow this opportunity to pass without defending them from the aspersions of the hon. Baronet in this House.

(5.42.) SIR W. PLOWDEN (Wolverhampton, W.): I rise to support the Amendment of the hon. Member for Manchester. I do not wish to say I agree with the arguments which the hon. Member for Manchester has brought forward; but if I were in doubt about the matter and were inclined to support his arguments the strongest confirmation that I should have received would have been drawn from the remarks which fell at the last moment from the hon. Baronet the Member for Evesham (Sir R. Temple). What did he say? He said, "You are not dealing in India with a people." I suppose he meant:—You are not dealing with one nationality; and then he went on to describe the extreme diversity which exists amongst the varied population of that country. I think that statement must have forced upon most of our minds the absolute necessity of getting, so far as the government of the country is concerned, an expression of public opinion from those various component parts. If you stand in India as an alien Government, and are administering the affairs of a vast population of people numbering 230 millions, it is absolutely essential to have a thorough expression of public opinion on the part of that population. I quite agree with my hon. Friend the Under Secretary of State for India that this Amendment of my hon. Friend behind me is not a practicable Amendment on account of the conditions which surround it. But so far as the Amendment itself is concerned—and as it is not hampered by any conditions—I think we should have some response from the hon. Member opposite in charge of the Bill, to whom application

has been made by several Members on this side of the House, asking him to introduce into it words which would make it plain to the authorities in India that the electoral principle is accepted by this House. I do not mean that he is to tell the authorities to adopt the principle at once or to make any arrangements which might appear to them to be undesirable or likely to produce danger and discontent, but to lay down, as a principle accepted by this House, that the electoral principle should be adopted in any future arrangements which are made for constituting the Legislative Bodies of India. I would ask the Under Secretary to say if he could not accept in place of the present Amendment words providing that the additional members shall be eligible whether elected or nominated. I think if something of that sort were adopted by the Government much of the discussion now taking place would be found unnecessary. I understand my hon. Friend is inclined to withdraw his Amendment if the Amendment *per se* is accepted by the Government. Passing on I wish to make one remark with regard to another matter. The hon. Baronet the Member for Evesham said there were none in India who could replace in valour and intellect the men concerned in the administration. I am sure from his knowledge of India he does not mean by those terms to pass censure upon the great population of which so many deserve commendation for similar qualities. I am perfectly well aware of individual cases which show distinctly that amongst the native population there are men competent by valour and administrative ability to take the very places that the hon. Member says they cannot take. I have only just referred to this point because I feel sure it was not the intention of my hon. Friend to asperse the character of these people; but I could not listen to his remarks without saying a word in their defence.

*SIR R. TEMPLE: I meant no aspersion upon the spirit and character of our Indian fellow-subjects. I have reason to acknowledge that they possess those qualities. But what I meant to say and still say is that for valour and capacity and energy—which are

necessary for crises of danger—they are not equal to, and cannot replace, Europeans.

*MR. SCHWANN: After the Debate which has taken place, and which I consider more or less satisfactory—although we have not been able to obtain a definite pledge from the Government—I think it would be desirable to withdraw my Amendment which with the permission of the House I now beg to do.

(5.50.) MR. MAC NEILL (Donegal, S.): I think the hon. Gentleman the Under Secretary of State for India will consider it to be only fair on his part to make some response to the many appeals we have made to him as to whether he will incorporate in this Bill some express declaration admitting the electoral principle. Now we all know what took place on the Second Reading of this Bill. In reply to the speech of the right hon. Gentleman the Member for Midlothian, on that occasion the Under Secretary of State for India admitted to the full that the electoral principle was involved in the Bill. The right hon. Gentleman the First Lord of the Treasury admitted it too. Now, I ask would it not be better, as the Bill will be worked by friendly Viceroy, to remove all cause of contention and to satisfy the aspirations of the people of India—because many millions are watching the progress of the Bill with great attention—by incorporating in the Bill the electoral principle. At the same time I would guard against putting any pressure on any Viceroy to take advantage of that principle, but what I would do would be to give a free hand to the Viceroy and the Lieutenant Governors. The electoral principle can alone bring about that political training which every stable Government, like that of the British Government in India, must desire to see fostered. Public spirit cannot be created without entrusting people with certain privileges and a certain amount of political power. If that is done we shall not hear anything about *Samson Agonistes*. Now, I would ask the Under Secretary of State for India whether it looks well to allow the right hon. Member for Midlothian in the most express terms to say that the electoral principle is

involved in this Bill—to allow it to remain doubtful, hidden away in the most remote corner of Sub-section 4—and yet not incorporate it in the Bill in an open way. If the hon. Member will forgive me, I may say that I do not think it is fair to place too much stress on my hon. Friend's Amendments “as hereafter provided.” I do not think my hon. Friend would place—I know I would not—very much reliance on these details, though they come no doubt with some substantial authority, because my recollection is that these details are the very details endorsed by the Indian Congress. Defects can easily be found in details, but the principal question now before us is whether we cannot embody in the Bill the electoral principle. I, myself, would much prefer that the Viceroy should at their own discretion exercise the electoral principle and choose their own constituencies. But, however that may be, I am sure every English legislator will agree with me when I say that it is absolutely essential for the Viceroy to be surrounded by people who voice the feelings of the natives at large, and will be able to give him, not an opinion—he wants not the opinion of those prophets who prophesy—but the real and honest facts as to what are the wishes, wants, and feelings and prejudices of the people. That cannot be done in a society far less complex than that of India—an independent community like our own—if members are only nominees. What I want to see in the Legislative Bodies of India are men who can speak with authority. In order to accomplish that object, I want the electoral principle to be plainly incorporated in the Bill. When we come to the other Amendments I will undertake to prove that not one thing is conceded to the people of India by this Bill. It is a shame. These people are dependent on us, and we should treat them with generosity, and avoid all pretence and duplicity with them. I feel very keenly on this, and I have taken a long journey to be able to say my humble say on this matter. I will ask the Under Secretary of State for India to give us an expression of the electoral principle in the Bill that we can construe as such, at the same time

providing for the discretionary power of those responsible. I think I am not unjustified in asking him to do this, as it will facilitate the operations of this Bill and make it successful in India.

*(5.58.) MR. CURZON: Out of courtesy to the hon. Member I cannot refuse to answer so direct an appeal; but, at the same time, I cannot undertake so far to adopt his suggestion as to add anything to this Bill to make more clear that which I think is already sufficiently clear. If I may quote from myself in the Debate on the Second Reading, when referring to the sub-section that has been alluded to, I used these words—

“Undoubtedly the words of the clause were designedly introduced by the Government with a clear apprehension of their meaning. I do not think there was any want of clearness in the terms in which I expressed the possible application of that clause at an earlier period of the evening. I endeavoured to give hon. Members to understand that it has been designed to give perfect latitude to the Viceroy in this matter, and that it will admit of the introduction of the principle of representation in India; whether the system be election, or selection or delegation, or whatever the precise method may be that recommends itself to the Government of the Viceroy.”

Those words expressed with perfect clearness both the intention of the Government in introducing the sub-section and the probable interpretation that will be put upon it by the Viceroy, and I have nothing to add to what I said upon that occasion.

(6.0.) MR. CONYBEARE (Cornwall, Camborne): I put it to any Member of the House whether any Governor-General would not consider himself limited by the term “nomination” in this Bill for I do not find either the words “election” or “selection,” and I ask the House whether any Governor-General or Lieutenant-Governor would consider himself entitled to go outside the meaning of the word “nomination,” and apply the principle of election or even of selection in the most limited manner. I should be glad if the Under Secretary for India would in his answer state definitely whether that is so or not, but even that I apprehend would not be conclusive, because, if any difficulty arose upon the construction of this Bill it is perfectly obvious that the Judges who might have to interpret it

would not be bound by words of a Minister of State ; they would be bound by the legal interpretation of the words of the Bill. The word "nomination" is in the Bill, the word "election" is not in the Bill, and there is so much difference of meaning between these two words that you will find it is the shadow and not the real thing which you are giving to the people of India.

Amendment negatived.

* (6.2.) **MR. SCHWANN**: I regret, in reply to an appeal that has been made to me, that I am not able to withdraw all the subsequent Amendments standing in my name, but I regard some of them as very important, and it would be advisable for us to consider them. With respect to the Amendment which I am now about to move it cannot be doubted that the proposal made by the Government for the number of additional members of the Governor-General's Council is far too small. That proposal practically only adds four to the number of that Council. At present the number of members of this Council stands at not less than six and not more than twelve, and the Government propose to increase these numbers to a minimum of ten and a maximum of 16. That seems to me to be a very paltry and miserable addition to the numbers of this Council, and the Committee should not lose sight of the fact that only half the number of these additional members must be non-official. Therefore, even of the additional members only a very small number are certain to be outsiders. This is a very unsatisfactory state in which to leave the question, and I venture to propose that where "ten" stands in the Bill the Committee should insert "forty." I venture to recommend this to the Committee because it is perfectly evident that so small a number in the Viceroy's Council could not practically give even a shadow of real representation to the Indian people. Many hon. Members who have not considered the various suggestions made in other quarters may consider that the number 40 is too large for the Viceregal Council. I can assure hon. Members that 40 is really rather a moderate number in comparison with other suggestions

which have been made in recent years. Not very long ago the late Mr. Coleman Macaulay, C.S.I., Chief Secretary for a long time to the Governor of Bengal, laid before the Governor of India proposals for the re-construction both of the Provincial and Legislative Councils. I am sorry to say he died about a year and a half ago, and his death was a great loss to India. In his suggestion it was proposed that there should be 70 members for the Bengal Provincial Council, and it will be evident to the Committee that this number might give a reasonable representation to the people of India. A more recent suggestion has been made by Mr. H. J. Reynolds, to whom I have referred before, and I have no hesitation in laying his testimony before the Committee because he has had experience of both classes of Councils. He has been for six years a member of the Vice-regal Council, and for twelve years in the Bengal Council, and it seems to me that the opinion of an official who has spent some of the best years of his life in India and is not an agitator—for he is the last man in the world to whom that name could be applied—is entitled to considerable respect. He has laid a scheme before the public lately in a *brochure* in which he proposes that the Viceregal Council shall number 104 members. Of these 40 are to be elected by the eight large Provinces of India, which shall have five representatives each. But while he would give to this Council 40 elected members, he would also give 40 members nominated by the Government, so that both the two systems which have been alluded to in the course of this Debate would find a place in such a Council. It is further proposed that there should be on the Council twelve officials and twelve Native Princes, not of independent States but of States under the control of the Government of India. These proposals are much greater than the suggestions which I have ventured to make to the Committee. Instead of 40 members, as I propose, you have in one case a suggestion of 70 and in the other of 104 members. I will venture to read a few words from Mr. Reynolds' *brochure*, because I think his remarks

Mr. Conybeare

on this point are well worth the attention of the House. He says—

“Enough has, I think, been said to show that these Councils, even the best of them, are Councils only in name, that they neither represent the public nor possess the public confidence.”

This, the Committee will remember, is from a man who has sat in both classes of Councils.

“And that if they were established with any idea of giving the people some voice in the making of the laws under which they live they have signally failed in attaining that object. Then deficiencies are due partly to the wording of the Act itself and partly to the vicious customs and rules of practice which have defaced and enfeebled the working of it. The objects of the former class with which we are at present concerned may be summarised as follows:—(1) The insufficiency of Councillors.”

The very first defect mentioned by Mr. Reynolds is the one we wish to remove by increasing the number of the Legislative and Provisional Councils.

“(2) The overwhelming preponderance of official members.”

This we want to correct by the proposals we are making.

“(3) The absence of any system of representative election; (4) The narrow limits to which the functions of the Councils are restricted; (5) The inability of the Local Councils to pass any law conflicting with an Act passed by the Council of the Governor General.”

These seem to me to be five very important points, and I venture to submit that my proposal increases to a very limited extent the number of additional members. If we look at this House we find 670 Members elected to represent the various sections of opinion in the United Kingdom. The object of having so large a number of Members is that on almost every subject there should be a number of Members who are practically experts; and it would be most valuable if the Viceroy in Council had the assistance of a number of experts who could give him an absolutely accurate picture of what is going on in the various Provinces they represent. It seems to me that we are asking no unreasonable thing in proposing a substantial addition to the number of the Legislative and Provincial Councils, and I move the Amendment which stands in my name.

Amendment proposed, in page 1, line 8, to leave out the word “ten,”

and insert the word “forty.”—(Mr. Schwann.)

Question proposed, “That the word ‘ten’ stand part of the Question.”

*(6.14.) Mr. JOHN ELLIS (Nottingham, Rushcliffe): I am very glad that the hon. Member for Manchester (Mr. Schwann) has raised his point in the way he has, for he has shown most clearly that what is proposed by the Bill would be no substantial addition to the number of these Councils. As a matter of fact, the increase resolves itself into the figure two, and I think it will be admitted that that is an infinitesimal addition. It is true that the proposal of the Government is to add four members, but two of these are to be nominated, and the elected members—if that principle be admitted—can, therefore, be increased only by two. As to whether 40 will be a judicious figure I am not prepared to say, and it may be shown that such a number of members would be more or less unworkable. But I believe the division will be taken on whether the word “ten” stands part of the clause, so we shall not be pledging ourselves precisely to the figure 40 if we vote against the proposal of the Government, which I shall do.

(6.15.) Mr. MAC NEILL: I maintain that under this clause there is not expansion enough. There is no necessary addition to the number of members, and the only benefit derived from the Bill is in connection with the elective principle. The word “additional” does not mean that these additional members are re-inforcements of the body of members composing the original Council. The word “additional” is a generic term. It means any member who is not a member *ex officio*. Under the old system a Governor who exercised his power of nomination to the fullest extent could nominate two more men than a Governor under the new system need appoint unless he chose. It is not right to palm off on the people of India as a reform a proposal of this kind which is not a reform at all. I object to this proposal because it is a mere subterfuge and a juggle. It gives the people no real benefits while it professes to give them reform, and to my mind in some things the new system is worse than the old.

* (6.20.) **SIR R. TEMPLE**: The hon. Member is right so far. In round numbers I believe this Bill raises the old figures of from six to twelve additional Members to from ten to sixteen. I hope the Government will bear in mind that under existing circumstances it is very important to keep the number of additional members as low as is consistently possible because out of these additional members a certain number must be practically non-official, either European or native, most probably native. And if you have a large number of additional native members you must have something like a corresponding number of highly placed European official members. That I beg to inform the House is a practical necessity. Thus the result would be that you would have a number of highly placed and highly paid officials taken away at times from their employment, and their places would have to be taken by other officials, who would have to be highly paid for the work thrown upon them. Unnecessary places would have to be made and unnecessary expense incurred, and I hope the Under Secretary will bear this in mind before he makes any large concession such as is asked.

MR. MACNEILL: I should like to ask the hon. Baronet who has just sat down whether my contention with respect to additional members is not correct?

* **SIR R. TEMPLE**: Yes, certainly you are correct. The word "additional" means the number of members who are additional to the Executive Council and are appointed for legislation only.

* (6.22.) **MR. CURZON**: The Amendment which has been proposed, only deals, as I understand, with the Supreme Council, but as there are other Amendments which propose a larger addition to the numbers of the Provincial Councils, it would, perhaps, be well if I were to deal with them all together. In the first place let the House clearly understand the position. At the present moment in the Supreme Council the number of additional members is a minimum of six and a maximum of twelve. We propose a minimum of ten and a maximum of 16. The hon. Member for Manchester proposes a minimum of 40

but does not state a maximum. In the Madras and Bombay Councils the number of additional members at present is a minimum of four and a maximum of eight. We propose to raise those figures to eight and 20, and the hon. Member for Manchester proposes to raise the minimum to 30, but does not state a maximum. In Bengal, where the number is at present twelve, we propose 20, and the hon. Member for Manchester proposes a minimum of 30 and a maximum of 48. In the North-West Provinces, where the Council now numbers nine, we propose 15, and he proposes a minimum of 30 with a maximum of 36. The House will observe that the additions proposed by the Bill are very much smaller in the case of the Supreme Council than in the case of the Provincial Councils, and there is an essential difference between these two classes of Councils. The work they have to do and the consequent difference in the number of members required to do the work do not appear to have been properly appreciated. The hon. Member for the Rushcliffe Division (Mr. John Ellis) described our proposals as infinitesimal, but I must confess I do not see how he can apply this term to the proposals with respect to the Provincial Councils.

MR. JOHN ELLIS: I was referring exclusively to the Supreme Council.

* **MR. CURZON**: Then with respect to the Amendment, I do not quite see the principle on which the hon. Gentleman has framed his own figures. Has he copied them straight from Mr. Bradlaugh's Bill? But Mr. Bradlaugh never had the opportunity of explaining his Bill to the House, and we are, therefore, in ignorance of the manner in which he arrived at his figures. First, with regard to the proposed addition of four members to the Supreme Council, I admit at once that that is a small addition; but I would remind Members of the House that the Government of India, who are certainly the best judges of the necessities of the Council, do not ask for any addition to the Supreme Council, and in my answer in the Debate on the Second Reading of this Bill, I gave very good reasons why a large increase in the

numbers of the Supreme Council is not required. I also quoted a very strong opinion in the same sense expressed by Lord Northbrook, who, it will be admitted, knows more about this subject than do hon. Members opposite, or than I do myself. But, in spite of the opinions of persons best qualified to judge, there is now a proposal to raise the number of members to as much as 47, and yet the hon. Member describes his proposal as rather moderate. From one point of view I admit the proposal is moderate, but from another point of view it is grossly excessive. If he wants to turn the Supreme Council of the Viceroy into a Parliamentary Body analogous to this House I quite agree that the proposed addition is moderate, but with a knowledge of the functions of that Body and of the work it has to perform, I think that the proposal is altogether excessive. Our figures both with respect to the Supreme and the Provincial Councils have not been lightly arrived at. They are the result of communications between the Home Government and the Central and Provincial Governments of India extending over a period of years. I have already stated that the Government of India expressed their opinion that any large addition to the Supreme Council would involve an increase of expenditure without any corresponding increase of efficiency. With respect to Bombay the Governor at that time approved of the increase, but the rest of his Council thought that no increase was necessary. The Madras Council accepted the figures in the Bill. I think I can give the House very good general reasons against any further extension. In the first place, there is the difficulty which I touched upon on a former occasion of finding good men who are unemployed and willing to devote that part of their time which is necessary to the purposes of these Councils. On that occasion the right hon. Member for North-East Manchester (Sir James Fergusson) pointed out that a large number of gentlemen gave their time to attend the sittings of the Indian National Congress, but that is a very different matter from giving their time to the work of these Councils, for the Congress meets but once a year and sits, I believe,

for a very short time, whilst a seat upon the Councils would involve attendance for at least two or three months in the year. There is another point. The more members there are on these Councils the longer will be the time spent on the debates, and the expenses must necessarily be greater. As the hon. Member knows, travelling expenses are allowed to the members, and also the expenses of residence; therefore, each additional member would be a direct additional expense. I would also point out that if the number of non-official members were increased the number of official members would, in the same ratio, have to be increased, since it must be perfectly clear that the Government must be in a majority, and to increase the number of official members would be to take them away from important duties elsewhere. An increase of members, too, would tend to produce results which are inseparable from popular Assemblies; by that I mean more especially the creation of two Parties. You cannot have these Councils on the scale contemplated by the hon. Member without the formation of a Government Party and an Opposition Party, and such a position in India would not only result in friction, but in the dislocation of Government altogether. The right hon. Member for Midlothian has described Opposition as being a position of greater freedom and less responsibility. But in India the opposition would be all freedom and no responsibility. Responsibility arises from the obligation to accept the results of Opposition; but in India that obligation can never arise, and it would be in the highest degree undesirable to promote that friction and possible hostility between Parties in these Councils which does not at present exist, and which I hope this House will do nothing to create.

Question put.

(6.35.) The Committee divided:—
Ayes 93; Noes 48.—(Div. List, No. 80.)

MR. SCHWANN: I do not propose, Sir, to move the subsequent Amendments which stand in my name. I accept the Division as an indication of the feeling of the House.

SIR W. FLOWDEN: The Amendment which stands in my name provides

that where the Indian Councils Act is, under this Bill, extended to the Punjab, the number of nominated Councillors must be limited to a certain number, and so far, I think, merely carries out the proposals of the Government as applied to the localities where Councils already exist. Under the Act of 1861 power is taken to create a Council for the Punjab. However, I do not wish to press this part of the Amendment, as it is not a matter of great importance so far as the Punjab is concerned, as when the Act is extended the Government would naturally not give a higher nomination than in the other Councils. I move, Sir, the first part of my Amendment.

Amendment proposed, in page 1, line 24, at end, add—

"It shall be lawful for the Governor General in Council, when extending the provisions of the Indian Councils Act of 1861 to the territory known as the Punjab, to fix the number of councillors whom the Lieutenant Governor of the Punjab may nominate for his assistance in making laws and regulations at not more than twelve."—(*Sir W. Plowden.*)

*MR. CURZON: The existing law already empowers the Governor General in Council at any time to extend its provisions to the Punjab, and to declare the numbers whom the Lieutenant Governor may nominate. There is, therefore, no object in putting these words into the Bill. The only object of the Amendment, if carried, would be to prevent the Lieutenant Governor from appointing more than twelve Councillors. But I think it would be hardly wise or statesmanlike to tie the hands of the Indian Government in advance, or to impose numerical restrictions upon a Council which is not yet called into existence, and the date of whose birth is not even approximately known. For these reasons I venture to ask the hon. Member not to press the Amendment.

SIR W. PLOWDEN: I will not press the Amendment.

Amendment, by leave, withdrawn.

SIR W. PLOWDEN: The second part of my Amendment is intended to provide for applying the provisions of the Act of 1861 to the large Chief Commissionerships, which already exist in the Central Provinces and Burmah, neither of which are provided for in

the Act of 1861, and the provisions of that Act can only be extended to those countries by an extremely expensive process—making them into Lieutenant Governorships—which is a course I do not think the Government would be at all inclined to adopt. It would create an additional demand on the Public Purse for which there is no necessity. I believe it would be a great advantage, especially with regard to the second case, if a Council were created at once. There is always a difficulty in passing Indian legislation through Parliament; and unless this step is taken now, we might have to wait a considerable number of years before what is admitted to be desirable could possibly be carried into effect. I hope the Government will not be carried away by the idea that they can make Lieutenant Governorships of these countries, and so extend the Act of 1861 in that way. That would be a course indicative of an extravagant spirit which would be sure to be resisted.

Amendment proposed,

In page 1, line 24, after the word "Oudh," to insert the words "The Governor General in Council may extend the provisions of 'The Indian Councils Act, 1861,' to any Chief Commissionership now in existence or subsequently created, provided that the number of councillors appointed in any such case shall not exceed one for each million of inhabitants in that territory."—(*Sir W. Plowden.*)

Question proposed, "That those words be there inserted."

*SIR R. TEMPLE: I cannot agree with the Amendment of my hon. Friend, and I hope the Government will not accept it. There are three Chief Commissionerships in contemplation. The first two are Burmah and Assam. These provinces are in a very crude condition and by no means fit for a Legislative Council, and such a measure is quite uncalled-for in their case. The third consists of the Central Provinces. I was myself the first Chief Commissioner there, and organized their Administration in its present shape. They have a large area no doubt; but they are in no wise desirous of anything of the kind, and the creation of a Legislative Council there might lead to embarrassing results.

Sir W. Plowden

*MR. CURZON: The Amendment of the hon. Gentleman consists of two parts: the first, referring to the possible creation of Councils for these districts which are now under Chief Commissioners; and the second, the ratio of the numbers of the Councils. Upon the first point the Government quite concur with the hon. Member for Evesham (Sir R. Temple); they think that none of these districts are at present fitted for a Council, and they are of opinion that the creation of such bodies might produce results which would be disappointing. As to the suggested ratio of the number of Councillors to the population, I think the hon. Member must see that that would be an unfortunate principle to adopt, because if you adopt it in one Province why not in another? and it certainly could not be applied, say, to Bengal. In fixing the ratio of members the interests to be represented and the classes which constitute the bulk of the people ought to be the determining factors rather than the population. It would be unwise to prescribe for Councils, the date of the creation of which we cannot determine, a particular method of creation or a ratio of numbers, both of which might subsequently be found to be very disadvantageous to the district.

MR. BRYCE: The Amendment merely gives power and does not suggest the creation of a Council, and I think might have been accepted by the Government, and would from its very terms prevent that which the Under Secretary seems to fear. There is, doubtless, a difference between Assam and the Chief Commissionerships. I agree that Assam is not suited for a Council, but that would not apply to Burmah and the Central Provinces. No part of India has developed so rapidly as these Central Provinces, and it may be desirable in an appreciable time to extend the Act to these Chief Commissionerships, and it would be a pity for the Government to have to pass another Act to amend the Act of 1861. I should have thought the proposal of my hon. Friend was a harmless and safe one, and might have been acceded to. The Amendment does not make the ratio of members depend on the population, but says the number of mem-

bers shall not exceed a certain ratio to the population.

(7.0.) MR. MAC NEILL: I regard the area of population as a matter of detail on which I say nothing. But everyone who has experience of this House knows the extreme difficulty of bringing in measures for amending the Indian Councils measure. The Indian Councils Act, which we are now endeavouring to modify, was passed no less than 30 years ago. This Bill, which is just now before the Committee, has been passing through the mill of the Lords to get to this House through three Sessions of Parliament. Now, the Government are stopping my hon. Friend who has moved this Amendment in order to keep anything like liberty from India and to prevent anything like the formation of public opinion in these Provinces. They are stopping him in reference to Burmah in order to prevent it in the future from having an Executive and Legislative Council, while at the present moment we are poisoning the people of Burmah with opium. Mr. Courtney, I beg to call your attention to the fact that the responsible Minister for India, who is in charge of this Bill, is not here; and I beg to move that you report Progress.

THE CHAIRMAN: The hon. Gentleman is inside the House.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Perhaps the hon. Gentleman will allow me to say that my hon. Colleague, who is in charge of this Bill, has only gone for one moment to consult an official under the Gallery, which is an ordinary and customary thing to do.

MR. MAC NEILL: I beg the right hon. Gentleman's and the hon. Gentleman's pardon. I did not know the Under Secretary was in the House. We are rather touchy on this subject, having regard to the systematic neglect with which India is treated in this House, and having regard to the fact that India still is, in the words of Mr. John Bright, simply a pasture land for smart young men. It is a great comfort that we have shorthand writers taking down what we say, and that what we say will be read in every bazaar and in every part of India.

I hope the people of India will note the manner in which the Government have dealt with this Amendment. My hon. Friend who has moved it desires to give the Governor General there power to extend the Councils in localities such as Assam, Burmah, and the Central Provinces. But the Governor General cannot be invested with this power now, and when public opinion is ripe enough to have Councils there we shall have to pass a measure for the purpose through the two Houses of Parliament. This Bill has been four years already before Parliament, from its inception to the Committee stage, and yet you strangle the suggestion that a Province of India should have a chance of getting a Council without four years of Parliamentary delay, in order to keep liberty from the people of India, and in order to outrage the people of India. I hope my hon. Friend will press his Amendment to a Division. It will show the true inwardness of the present Cabinet in passing this sham measure in regard to the people of India.

*(7.6.) MR. S. SMITH: I think the argument in favour of this Amendment and in favour of extending the Bill to Burmah is exceedingly strong. I see no reason whatever why Burmah should not enjoy the benefits of a Legislative Council. Burmah, as a whole, is a very large country; it is quite as large as many European countries, as Spain or France for instance, and has a very considerable population. We know that several of the Chief Commissioners of Burmah have very strongly reported in favour of the suppression of the opium trade; and it is perfectly well-known that the opinion of the native population is dead against permitting opium to be sold at all. The Indian Government have, notwithstanding, overruled again and again the recommendations of the Chief Commissioners on this subject. Now, if Burmah had possessed a Legislative Council, these recommendations could not have been ignored, but must have been acted upon. I cannot imagine why the Government should not give a discretion, at all events to the Governor General, to

enable these Provinces to have the nucleus of a Legislative Body. I think it is a very discreditable thing to bar the door against it. I say we should not let this opportunity slip, and I hope my hon. Friend will go to a Division.

(7.10.) MR. MORTON (Peterborough): I am sorry there is not more interest taken in this House in Indian affairs; but I do trust that the hon. Gentleman will go to a Division on this Amendment, because, after all, otherwise I cannot see much use in discussing it, unless the Government in some sort of way should explain the matter away. But the Government have done nothing of the sort. This Amendment does not ask the Government to give way much. It only asks them to do what very likely they themselves before long will desire to carry out. The hon. Baronet the Member for Evesham (Sir R. Temple) seems to think this proposal most objectionable because of his experience when he was the First Commissioner of one of the districts. But it is some years ago since he was there, and no doubt the place has greatly improved since then. The opium question is always with us, and will be always with us until we have taken some steps to put an end to it, and not to make a profit out of it ourselves. I trust, therefore, the hon. Member will go to a Division on this matter, unless the Government see their way to give way on this point, as I think they ought to do.

*(7.13.) MR. JOHN ELLIS: I am surprised that the Government cannot see their way to accept this Amendment, which has been moved by an hon. Member of great Indian official experience. The experience of the hon. Baronet the Member for Evesham is extremely high; but I am sure he will permit me, without discourtesy, to remind him that that experience is becoming a little antiquated. I am sure in another Parliament he will find that his utterances about India are not rated at the excessively high value that some hon. Members seem to attach to them. A great deal has happened since the Indian Councils Act (1861) was passed, and certainly there are districts now as ready to receive the

benefit of the Amendment as these present Provinces were to receive those under that Act. Therefore, I hope my hon. Friend will take the sense of the House upon his Amendment if the Government do not see their way to accept it.

*(7.14.) MR. SEYMOUR KEAY: I cannot imagine any reason the hon. Gentleman who has charge of the Bill can have for opposing the Amendment now before the House, unless it is to be found in the remarks which he has made on a previous Amendment. I am not blaming him for this personally, because I think we must all recognise the distinguished ability which he has shown in the conduct of his new office up to the present time. But I am bound, for all that, to remind him that he has fallen only too speedily into the groove that has been all along occupied by his predecessors. The hon. Gentleman told us with reference to a previous Amendment that, if the number of the gentlemen nominated for the Councils became at all great, that fact could not fail to establish what he called an Opposition Party. In other words, such a distrust has the India Office of the natives of India as a whole that, not content with having knocked the elective principle out of this Bill, the hon. Gentleman also tells us that if members were even nominated by the Governor General himself in any considerable numbers, they could not help forming an Opposition which would criticise—and ably and severely criticise I have no doubt—many of the measures brought before the Council. I myself am very familiar with the real state of matters—not from the experience of 20 years ago, but from an experience dating up to the 30th of January last; and from my personal knowledge of the position in which the Chief Commissionerships stand, as compared with the Lieutenant Governorships, I must state—and I think I shall be supported by every really independent European who has an intimate knowledge of the subject—that there is actually no difference existing in the constitution or in the state of society under the Chief Commissionerships, as

compared with those under the Governorships in India at this moment. I, therefore, am thoroughly surprised that the hon. Gentleman does not accept the present Amendment, unless, indeed, the Government are prepared plainly to say that they abhor the idea of establishing even nominated Councils throughout that country.

(7.20.) MR. CONYBEARE: I am sorry we have not a better House to debate this question. The principle in the Amendment is to be found in the Constitution of the United States, whereby the territories were in due course developed into States. I do not admit that the Provinces of India are not sufficiently advanced to be dealt with as proposed. We say they are. It might be as well, so far as Burma is concerned, to wait until the country generally is more settled than it is at the present time; but the other Provinces are certainly advanced enough for the purpose. Assam may not be so far advanced as the Central Provinces; but when we consider the great tea-growing industries in Assam we must see that there is a strong argument for putting the machinery of the Act of 1861 into force. I shall support the Amendment of my hon. Friend because I consider it is a judicious one.

*MR. CURZON: The very power which hon. Members desire already exists under the Act of 1861.

MR. CONYBEARE: What part?

MR. CURZON: Section 46.

MR. MAC NEILL: Then why not accept the Amendment?

MR. CURZON: The reason is that it is not the custom in Parliamentary procedure, when a matter has been adequately dealt with in one Act, to introduce another clause relating to the same subject in another Bill. Such a course would obviously tend to throw doubt on the interpretation of the first Act. The Amendment, in short, is superfluous.

SIR W. PLOWDEN: I think the application of the Act of 1861 should be extended, and I hope my Amendment will be agreed to.

Question put.

(7.30.) The Committee divided :—
Ayes 46; Noes 84.—(Div. List, No. 81.)

*MR. SCHWANN: I wish to propose the following Amendment :—

In page 2, line 2, after the word "Council," to insert the words "and shall within eighteen months of the passing of this Act."

I would point out that in the year 1870 an Act was passed in this House called "An Act to make better provision for making Laws and Regulations for certain parts of India," &c., &c. It took eight years to make rules under Clause 6 of this Act, yet only three-quarters of the appointments have ever been made, and the whole scheme was finally swept away by the action of the Secretary of State for India. Unless some such Amendment as that which I propose is adopted, it is very probable that a great length of time would elapse before we saw any practical results obtained from the carrying out of this measure.

Amendment proposed, in page 2, line 2, after the word "Council," to insert the words "and shall within eighteen months of the passing of this Act."—(*Mr. Schwann.*)

Question proposed, "That those words be there inserted."

*MR. CURZON: I do not think that there is any likelihood of delay taking place in carrying out the provisions of this Bill; on the contrary, there is every reason to believe that the Government of India wish to take advantage of it to issue these regulations. At the same time, I think that it is extremely undesirable to limit the time within which action must be taken, because the carrying out of the enactment is a matter which would require a great deal of consideration in India itself. I can well conceive that in some Provinces prolonged consideration may be necessary to decide as to the best methods of carrying out the provisions of the Bill. I think, therefore, that it would be unwise to fetter the discretion or to hamper the initiative of the Viceroy in this matter.

(7.45.) MR. BRYCE: I hope the Amendment will be accepted, or that

some other limit will be suggested if 18 months is considered too short a time for the purpose. This proposal has been under consideration for three years, and it must, therefore, have been largely present in the minds of the Viceroy and his advisers. It ought to be possible to prepare regulations within a reasonable time. I am aware how slowly public business is transacted in India, but I should have thought the Amendment was one which the Government could have accepted. If, however, it is considered that 18 months is too short a time, no doubt my hon. Friend will be willing to move his Amendment in a different form, and to extend the period from 18 months to two years.

*(7.47.) MR. SEYMOUR KEAY: I think the Amendment is necessary in order to strengthen the hands of the Governor-General. The European officials in India would be certain to endeavour to delay the operation of the measure, and in order that their resistance might be overcome the Governor-General should be in the position to say, "I am bound to act within a given period," otherwise he will certainly be thwarted in his endeavours to put the clause in operation.

MR. CONYBEARE: The argument put forward in support of this Amendment is certainly a very strong one, and I should like to ask why we should not introduce a limitation of time in this case as was done in regard to the County Councils Bills for this country? Surely we ought to do all we possibly can to strengthen the hands of the Governor-General, and to see that the measure is really one for the benefit of the people of India generally.

Question put.

The Committee divided :—Ayes 26; Noes 78.—(Div. List, No. 82.)

DR. TANNER: I wish to inform you, Mr. Courtney, that both the hon. Member for Elgin and myself have been into the "Aye" Lobby with the intention of voting for the Amendment, but that our votes have not been counted.

*MR. MACLEAN (Oldham): I would now move the following Amendment :—

In page 2, line 2, after the words "in Council," to insert the words "and with the sanction of both Houses of Parliament."

The object of this proposal is to insure that no regulation framed under this clause should be enforced until the sanction of Parliament has been given to it. I regret that it should have been necessary for the Government to take the discussion of this Bill on the first day after the holiday, because many Members who are interested in it are unable to be present. One fallacy has been often repeated. It has been said, notably by the hon. Member for Manchester, that there is no such thing as public opinion in India, and that it is necessary to create that opinion by introducing some elective system. I maintain that there is at the present moment, and has been for many years, a real and strong public opinion in India, and that it is not at all necessary there should be representative Government in order that the opinion of the people may be expressed. They have freedom of the Press; they have the right of public meeting; and I can assure the hon. Gentleman, from a rather extensive knowledge of the way matters are discussed in India, that there is a great deal of freedom of criticism of any measure proposed by Government. I certainly claim that if I did not actually create, I, at all events, brought to maturity, in the great City of Bombay a public opinion as vigorous and wholesome, and at the same time as loyal, as any opinion which exists in any other part of the world. The fact is, that the Government now even take great pains to consult the opinion of various sections of the population of India. We are told that we ought to give the right of elective representation to Municipalities, Chambers of Commerce, Universities, and other institutions of the kind. These are the very institutions the Government consults before it passes any measure, and I never knew of a Government bringing forward a fresh measure affecting finance or the interests of its subjects without consulting these bodies. The fact is, these institutions and these great organisations have a great deal of power with the Government at the present time;

so much power that they sometimes prevent the wishes of this House being carried into effect, as was illustrated last year when they started the resistance of the Government of India to the desire of the Secretary of State that they should pass a certain Factory Act in that country. What we really want to get at, and what is very difficult to get at, is the opinion of the hundreds of millions of poor people in India.

THE CHAIRMAN: Order, I do not see how the remarks of the hon. Member relate to the Motion he is moving.

*MR. MACLEAN: I was only replying to remarks which had been made earlier in the evening, and which seemed to have no particular reference to the subject under discussion. However, it is now proposed that in order to give better expression to public opinion in India we should have this elective system of Government, and in the present section, as finally explained by the Under Secretary for India, there is no doubt that the elective principle is to be introduced hereafter into the administration of India. That is distinctly stated to be the meaning and intention of the Government.

MR. SCHWANN: Not in the Bill.

*MR. MACLEAN: It is not expressed in the Bill, but it is allowed by the Bill; and the explanation which the Under Secretary has given to it shows that it is the intention of the Government that it shall be carried into effect. My hon. Friend the Secretary of State for India has spoken in the most satisfactory terms of the great danger that would be caused by the introduction of a system of anything like Party Government into India. I was very much pleased by the observations he made on that subject, but I maintain that under the words of this section we shall be drifting towards the introduction of a regular system of Party Government. My hon. Friend does not see the full force of the concession he has made to the other side. My own belief is that if we once introduce the elective principle into India we do away with the logical basis of our rule of that country. We must be masters there or else we must leave India altogether. If we once admit that

the natives of India are entitled to the same privileges of self-government we ourselves possess then we have no business in India at all. Thus, in view of this strong conviction of mine, I regret very much that the Government should have so far yielded to pressure as to have made this important concession. I do not understand that it was the original intention of the Government to do anything of the kind; but Lord Kimberley asked in the House of Lords whether a certain interpretation might be put upon this section, and Lord Cross, with that sprightly amiability which never fails him, said, "Happy thought. Let us take the elective principle and introduce it into our Bill." Thus we have this principle, and it is provided that the Secretary of State in Council, with the Governor General in Council, may make such regulations as they please as to the way in which this additional Members of Council shall be nominated. I would call attention to the very loose wording of the clause, which leaves it open to the Governor General to alter the constitution of India at any time with the approval of the Secretary of State in Council. In fact, any new Governor General may in his Gladstone bag take out a new constitution for India, and I think that this giving up of the power of control of this Parliament is really a most dangerous principle to adopt. I do not know that any responsible statesman, in proposing Home Rule for Ireland, has gone so far as to say that the control of Parliament over any future changes in the Legislature of Ireland shall be absolutely done away with, and yet we here have that new principle applied to India. It is to be left absolutely in the power of the Governor General to make as many changes in the constitution of that country as he may desire. I do not say that danger will always arise through the exercise of this authority, but, to use a Johnsonian phrase, the clause contains a potentiality of mischief beyond the dreams of the present generation of agitators. It is obvious that if you have a Governor General who is anxious to conciliate people out there he may yield one position after another. You are yielding to pressure

now, and you are offering thereby an invitation to the people to whom you yield to employ fresh pressure until they obtain all they desire. The Under Secretary of State, in speaking of this clause, tried to make out that I was really attaching exaggerated importance to it. He said it was a very small matter indeed. It is a small matter to some people if you make a breach in the bank of a reservoir by taking away a stone or two; but you may in this way let loose a torrent which will lay desolate the whole of the valley below. I think it is a dangerous thing for the Government to have enlarged the scope of this Bill so as to give room for the introduction on a great scale of the electoral principle in India. The Under Secretary seems to be in the position of the confidential butler who holds the door open so that the burglars may come in and steal the family plate.

MR. MAC NEILL: Who are the burglars?

*MR. MACLEAN: The hon. Member knows more about them than I do, for they are friends of his. I have no doubt that so long as we have a Governor General of the stamp of Lord Dufferin and Lord Lansdowne we are not likely to have any abuse of the privileges of this clause. Something has been said about Municipalities in India and the way in which they work, and in this connection there were some remarkable observations made by Lord Lansdowne, who spoke a fortnight ago at the opening of the great waterworks at Bombay. They show that he has a clear apprehension of the difficulty of working electoral institutions in India. He said—

"I have never disguised from myself that municipal government in India has special difficulties to contend with. It has been frequently and truly said by those who have made this subject their special study that, owing to the structure of society in India, the number of persons likely to take an interest in civic affairs is relatively much smaller here than it is in Western countries; and I have observed with regret that in some of our Municipalities there has prevailed a regrettable degree of indifference to the interests of the community—an indifference which sometimes takes the shape of leaving to a few willing workers the burden of exertion and responsibility which ought to be generally shared, and

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sometimes that of obstruction, offered from motives of false or even selfish economy, to the progress of necessary schemes."

I have no fear that a Viceroy who shows so clearly his conception of the difficulties of working a system of elective Municipalities in India, and is so well aware that these Municipalities are only on their trial, will make any great or rash experiment in the introduction of the elective principle into the Viceregal Council. But we have had experience of other Viceroys, and we shall probably have experience of them again, upon whom no such dependence may be placed. We know how Lord Ripon, with the assent of Mr. Ilbert, introduced a Bill into the Council of India which set the whole of India by the ears. I have been denounced by the newspapers for my brutal frankness in speaking of Lord Ripon in this manner and expressing a dread of what would happen if he were again appointed Governor-General of India; but I suppose we Members of Parliament come here to tell the truth to one another occasionally in spite of the demoralising effects of Party Government. I think it is better we should face the realities of the situation, and look to the probable effects of the legislation we are taking in hand, than that we should wrap ourselves in a cloud either of dishonest ambiguities or of humanitarian twaddle. If we had a weak or rash Viceroy appointed to India he would be able to do the greatest possible injury to our rule in that country. The hon. Baronet the Member for Evesham has spoken of introducing the elective principle, and I have sufficient confidence in the soundness of his judgment to know that if he were the Governor General of India the elective principle would not work badly, because he would exercise his own knowledge and determine who were the best men to appoint even after the election had been made. But has my hon. Friend considered that it is possible you might have a Viceroy and Secretary of State who were anxious to recognise the National Congress in India as a regular institution? And is not it possible for a Viceroy to go there and say, "We take this Congress as representative of the people of India,

and we will select your leaders and nominate them to the Viceregal Council?" It seems to me any proposal of that kind should have the express assent of both Houses of Parliament before it can be carried into effect. The National Congress of India has really been on its last legs for some time; it would have died out and would have ceased to exist but for the stimulus which this Bill has given it. ("Oh!") The hon. Member says "Oh," but I will quote from a letter written by Mr. Hume, the Secretary of the Congress, and published the other day. He says they could not get any money with which to carry on the Congress; and I have no doubt that statement would be confirmed by Mr. Digby, the ex-Secretary of the National Liberal Club, if he were applied to. Mr. Hume said—

"As a fact, however, but a small sum comparatively is provided—a wholly inadequate sum—and even that, though promised, is paid so tardily that thousands of letters, circulars, and reminders are needed to get in even this ineffectual contribution."

The Congress was losing the support of the people of India, but now I am afraid it will be again set up in active existence. We know the hon. Member for Manchester speaks of what the Congress proposes to do, and we know that the Congress never meets or separates without giving three hearty cheers for the Queen. That is an easy thing to do; but they also pass resolutions which are really aimed at the complete overthrow of the English rule in India. ("No, no.") I expected that; but here is a specimen of the kind of language used by Mr. Hume, the Secretary of the Congress, which shows the real aim and character of this Congress. Mr. Hume actually incites the members of the Congress to rise against the Government, and points out the way in which they must do it effectually. He is a pensioned servant of the State.

MR. SCHWANN: All these parties have been disowned.

*MR. MACLEAN: I say Mr. Hume is a pensioned servant of the State, and under any less mild rule than our own would have been hanged or shot as a traitor. Mr. Hume wrote—

"Do not fancy that the Government will be able to protect you or itself. No earthly power can stem an universal agrarian rising in a country like this. My countrymen will be as men in the desert, vainly struggling, for a brief space, against the simoom. There will be no foe to meet in the field, but rail and road will become impassable, bridges will be wrecked, telegraphs cease to exist, supplies be arrested; thousands of the rioters may be killed, but to what avail, when there are millions on millions who have nothing to look forward to but death—nothing to hope for but vengeance? As for leaders—with the hour comes the man—be sure there will be no lack of leaders."

Then he referred to what he himself had seen in the time of the Indian Mutiny—

"A great many of you do not understand what a house of cards our grand Administration is. You have not seen, as I have, the entire Administration shrivel up like a parchment flung into the fire, in less than a month, in consequence of the mutiny of some 40,000 soldiers, and that, although at that time the entire population were with us, in most places actively, in all passively, if not actively."

That is the style of language Mr. Hume indulges in. But I think the hon. Member said just now that he had dissolved connection with Mr. Hume.

MR. SCHWANN: No; that the Congress had denied its connection with those words.

*MR. MACLEAN: The hon. Member is mistaken. I have read the correspondence published in the Indian papers. The Allahabad Standing Congress Committee at first objected to the language of Mr. Hume in these words, on the ground, it will be seen, of expediency alone:—

"In fact, we are not only afraid of being misrepresented by our opponents, but we also think that a considerable number of men in our own ranks will feel nervous at the publication of the letter."

But they gave way, and then comes the following telegram from the Secretary:—

"The Committee have resolved to circulate your letter of the 16th February. It is being circulated."

There the Committee identified themselves with the plan of Mr. Hume. The hon. Member has said a great deal about organising public meetings in London, such as that of a number of native Indian gentlemen who met to discuss some remarks of mine in this House, in which I showed them up in

their true character. Why do not hon. Members opposite now call a public meeting of all the natives in London to repudiate Mr. Hume, to denounce him, and to show that they will have nothing to do with his wicked designs? I doubt if they dare do that, because they know he is supported by a large body of the members of the Congress in India itself. I have thought it right to call attention to these things, because it seems to me the House is going on in a happy-go-lucky sort of way to change the whole Constitution of India and to introduce the elective system, the end of which none of us can really foresee. There can be no doubt, if anything of the kind is to be done, that we ought to maintain a very strict Parliamentary control over the action of the Governor General and the Secretary of State. Hon. Members opposite profess to be afraid that the Governors General may not carry out fully and freely the intentions of Parliament in this matter; but I say that some of them may go far beyond the intention of Parliament, and I say we ought never to part with the immediate control of Parliament over the Government of India. I have no doubt that the Government will refuse to accept my Amendment, and I have no doubt also that they will be able to have their own way in the Division; but, at all events, I shall protest to the last, with all my energy, against what I regard as this first, this irrevocable, and this fatal step towards the overthrow of English influence and authority in India.

Amendment proposed,

In page 2, line 2, after the words "in Council," to insert the words "and with the sanction of both Houses of Parliament."—*(Mr. Maclean.)*

Question proposed, "That those words be there inserted."

(8.58.) MR. CONYBEARE (Cornwall, Camborne): With respect to the latter part of the speech of the hon. Member for Oldham, who quoted the sanguinary language of a Report from India, I should like to say at once, speaking for myself and for those on this side of the House, that we utterly repudiate any sympathy with such absurd and mischievous

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language. I have no hesitation in saying that I regard with much disgust and surprise the language contained in Mr. Hume's letter, proceeding as it does from a gentleman who has been labouring, and I believe sincerely, in the interests of the people of India. And I hope that the members of the Indian Congress, who are certainly not responsible for it, and who, up to the present time, probably have not had any opportunity of expressing their views with regard to it, will absolutely disavow and dissociate themselves from any language of the kind. I cannot conceive anything more calculated to throw back the movement which the Congress is endeavouring to push forward—that of securing to the people of India a voice in the management of their own affairs—than the dissemination of such language. I regard such language as highly mischievous, and the harm is incalculable that is caused by language such as the hon. Gentleman has lent himself to. He suggests that we cannot trust our fellow-subjects in India, and that it is impossible to concede a single inch of liberty for fear they should take many ells, and that will do more than anything else to estrange the people of India from our Government, and it will give them the idea that the expressions used by a single Member of this House are those generally held by the people of this country. During the short time I was in India I was impressed by the anxious desire of the people to have some sympathy extended to them by us, and the same feeling has been expressed by Professor Monier Williams and other able writers. The feeling of the people of India is very keen upon this point; that the improvement of steam navigation has made it possible for our civil servants to spend their short furloughs in this country instead of as formerly amongst the people, and the result has been to divorce the governing classes from the people. I think the hon. Gentleman, in opposing this Amendment, has shown extraordinary timidity. He is afraid that the Bill would introduce novel principles, but there is no new principle. The word "election" has been carefully eliminated from the Bill, and the

authorities in India are not likely to trouble themselves to give any practical effect to that principle. Therefore, I think the Member for Oldham (Mr. Maclean) is too timorous when he talks about the floodgates being opened and so forth. If under this Bill the principle of election is available at all I confess I welcome it with the greatest satisfaction, because, if you insist on keeping a people down by force of bayonets without doing what you can to meet their political aspirations, you will merely breed discontent; but if you show them that sympathy for which I am pleading, you will remove one of the greatest incentives to anything like the agrarian rebellion which the hon. Gentleman mentioned. With respect to what the hon. Gentleman said about the organisation of the Indian National Congress and the fact that applications have been made for subscriptions on behalf of that body, I may remind him that such things are not unknown in the history of our own politics. I can refer the hon. Gentleman to a political organisation with which he is better acquainted than I am—the emblem of which is a primrose—which has sent out circulars asking for contributions, and these circulars have sometimes got into other hands than those for which they were intended. One reason why this should be the case in India is that people are aware that this question is now before the House, and they are disposed to wait before they act upon the result of our deliberations. The hon. Member for Oldham always speaks in an interesting manner on Indian subjects, and I wish he would speak more often, but I think this proposal of his nullifies the whole principle of this Bill. It appears to me that if this Amendment were carried, an Act of Parliament would be required to sanction any rules and regulations which were formulated by the Indian Government. The Under Secretary pointed out with respect to another Amendment that it expressed distrust of the Viceroy, and that, I think, is the spirit of this Amendment in an even greater degree. This Amendment would take the heart out of the Bill, and I trust the Government will not accept it.

* (9.15.) MR. JOHN ELLIS: The hon. Member for Oldham has delivered a very violent attack on the Indian National Congress. He quoted no resolution of the Congress to support his attack, but he contented himself in reading a paragraph from a letter written by Mr. Allan Hume, who was Secretary to the Indian National Congress. I do not know whether it is within the knowledge of the hon. Member that there appeared in the *Times* of the 2nd April an entire repudiation of this letter which had been cabled from India. There is in London a small informal Committee which represents to some extent the Indian National Congress in this country. They held a meeting on the 2nd of April at which they had the full text of this letter before them, and they unanimously passed this resolution—

"This Committee, having before it the full text of a circular letter issued by Mr. Allan O. Hume, C.B., dated Calcutta, 16th February, the substance of which was cabled by the *Times* correspondent yesterday, express their deep regret that such a letter should have been circulated, and their entire repudiation of the wild language and the unjustifiable conclusions drawn by Mr. Hume."—W. S. Caine, W. S. B. McLaren, Chas. E. Schwann, John E. Ellis, and others.

I can assure the Committee that we feel nothing could be too strong in the way of repudiation of the language—I might almost say the wicked language—used in that letter; but it must be borne in mind that Mr. Hume had been brooding for some time over the alleged grievances of India, and I think the same degree of culpability must not attach to Mr. Hume under the circumstances which would attach had he been in a condition of perfectly even temper.

MR. MACLEAN: I am glad to hear this explanation, but I should like to point out that by the Bombay papers which have arrived to-day I see that a Committee of the Congress have circulated that letter throughout the whole of India.

*MR. JOHN ELLIS: I have not seen the Bombay papers, and this matter is not in the final stage. There may be something further to say about it, but I may say that the Chairman of one of the Standing Committees of the Con-

gress was at our meeting. He signed the repudiation I have read, and I feel sure the letter would not receive the sanction of the Congress. We dissociate ourselves from the letter and from the circulation of it. Mr. Hume has rendered very great services to India, and in this matter I have no doubt he has been carried away in a way which I hope he now regrets. With respect to the Amendment, I cannot conceive anything more lamentable than that we should have a series of heated speeches on Indian subjects, such as the one we have listened to, and that would be the effect of the Amendment. The speech was saturated with distrust and jealousy of our Indian fellow-subjects, and I deprecate the constant bringing before this House of Indian subjects, as this Amendment would do, if that is the way in which they are to be discussed.

MR. S. SMITH: I entirely concur with the last speaker in the view he takes of this letter.

THE CHAIRMAN: Order, order! I think it would be better if the Committee would leave the matter of this letter and confine itself to the discussion of the Amendment.

* (9.25.) MR. CURZON: The hon. Member for Oldham (Mr. Maclean) in his speech has given a not altogether fair account of the genesis of this clause. He seemed to think it had been introduced at the last moment in a haphazard kind of way, and had been accepted by the Government to save themselves from the difficulties of the situation; but I can assure him that it was well considered before it was included in the Bill. Moreover, it contains the views which have been consistently expressed in correspondence with the Government of India. It was with no uncertain knowledge of its purpose that it was proposed by Lord Northbrook, and accepted by the Government. The hon. Member for Oldham is anxious that these rules with regard to nomination and election should be submitted to both Houses of Parliament. I observed on the Paper a somewhat similar Amendment in the name of the hon. Member for North Manchester (Mr. Schwann); but that has been withdrawn in order that the hon.

Member for Oldham might move his. I therefore looked with some anxiety as to what action Gentlemen on the other side would take. But what is my surprise when I find in those Gentlemen unexpected allies. But though both these Gentlemen (Mr. Maclean and Mr. Schwann) have put down a similar Amendment, I recognise a difference in their objects. The hon. Member for Manchester is looking to the House of Commons and to discussion in this House, whilst the Member for Oldham is looking to discussion in the House of Lords. The hon. Member for Manchester fears that the rules may not be liberal enough, and may require to be expanded by this House. The hon. Member for Oldham fears that the rules will be too liberal and will require to be contracted by the House of Lords. The hon. Member for Manchester wants this House to apply the spur to a Conservative Viceroy, and the hon. Member for Oldham wants the House of Lords to apply the curb to a Radical Viceroy. He made that clear in his speech on the Second Reading a few weeks ago. These two proposals each illustrate the danger of the other. I do not think we want the House of Commons to interfere with one class of Viceroy any more than we want the House of Lords to interfere with the other. Moreover, the fears underlying these two proposals are each the corrective of the other. The hon. Member for Manchester is afraid that the clause will be a dead letter. The hon. Member for Oldham thinks that it conceals a revolution. He seems to regard the proposal of the Government as of the most appalling character, and to fear that a full-blown electoral scheme will spring from this clause, like Athens from the head of Jupiter. I venture to think that while, on the one hand, the clause will not be a dead letter, on the other it will not have the far-reaching effects which the hon. Member anticipates. The hon. Member suggests that giving such power to the Viceroy will be an innovation; in my judgment the proposal of the hon. Member would itself be an innovation. I think that the further interference of Parliament with the

Government of India is most undesirable, for when Parliament does meddle in Indian affairs it not uncommonly muddles; and if the Government of India is doomed at any time to end in failure or collapse, it will not be from the attack of foes from without, nor from internal disruption, but in consequence of the undue interference of Parliament. And if it be undesirable that this House should interfere in the government of India, it is still more undesirable that India should be made a bone of contention between the two Houses of Parliament, and yet I can conceive no other result than friction between the two Houses arising from the Amendment. There are already in the Bill sufficient safeguards, which, perhaps, my hon. Friend has not noticed. Before these rules come into operation they must be approved by the Governor-General in Council, which Council is composed of men of knowledge and experience, and not necessarily of the same political colour as himself. They have then to be approved by the Secretary of State in Council at home. The Council of the Secretary of State is composed of twelve men of great Indian experience who are not Party men, and in both bodies, therefore, they will be discussed quite apart from Party considerations. But supposing the Amendment were carried, and the Secretary of State in Council declined to accept the decision of the House of Commons, what power have we to control him? Under those circumstances, another Act of Parliament would be required* to deprive the Secretary of State in Council of the powers conferred on him by the Act of 1858, so that the clause as amended would be inoperative unless the House were prepared to take that step. The Government are unable to admit the principle of further Parliamentary interference in the government of India than that which at present exists; and they are unwilling, in setting up this new scheme, to submit it to the risk of Parliamentary Divisions in this House. I think nothing would be more likely to retard the successful operation of this Act and of this clause than that it should be from time to time brought up for discussion in this

House, and I hope the Committee will not give its adhesion to this proposal.

(9.37.) MAJOR GENERAL GOLDS-WORTHY (Hammersmith): The Under Secretary says he does not see why the House should intervene in such matters. Surely, Sir, if small questions under the Charity Commission are laid before the House and debates of several hours take place upon them, it is the right of the House to control the Government of India. I was in the Indian Mutiny, and I saw some of the worst scenes which took place in it, and I saw some of the inciting letters to which the hon. Member for Oldham referred. I have no wish that there should be a chance of any more such scenes. India was won by the sword and must be kept by the sword; and not only the sword wielded by Englishmen, Irishmen, and Scotchmen, but by loyal natives with whom many of us who are soldiers have fought side by side. I think it is most injudicious to give this power, and hope that the rules will be brought under the cognisance of Parliament. I shall support the hon. Member for Oldham if he goes to a Division.

(9.40.) DR. TANNER (Cork Co., Mid): I hope the hon. Gentleman will keep his Party in order and go to a Division. I shall be most happy to follow him into the Lobby against the Government, who are bringing in a Bill which neither they nor their supporters believe in. They are bringing it in simply to pose as philanthropists before the country. In the face of a near General Election these Committees are all humbug. I hope the supporters of the hon. Gentleman will nail their colours to the mast, and not let their courage ooze out at the toes of their boots, and will go to a Division.

(9.43.) COLONEL NOLAN (Galway, N.): I gather from the Under Secretary that his view is, that the English people, in the wider sense of the word, should not interfere through the House of Commons when the Governor General chooses to alter these rules. I must say I consider that a most extraordinary doctrine. The time may come when you may have an invasion of India, and then you will call

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upon the people of this country to come forward and hold India, and yet you will not let them interfere in the Government of India at all. The Governor General may set the whole of the Bill at defiance by the rules, and exclude all natives from the Council. You might have a Governor General not in harmony with the House of Commons, whom, however, it might be inconvenient to recall, and he might act in defiance of public opinion, and of the opinion of the House of Commons, by keeping out of the Council the very men whom the House of Commons think should be there. The Governor General should not have the right to make new rules without the House of Commons having some little right of interfering, if necessary. The hon. and gallant General is well acquainted with India, and he wants to limit the power of the Governor General, and I agree that the House of Commons should be able to interfere if the Governor General should make some injudicious alterations.

(9.50.) Question put.

The Committee divided:—Ayes 23; Noes 91.—(Div. List, No. 83.)

(9.57.) SIR W. PLOWDEN: We have now arrived at the position that the Government have admitted the elective principle, but will not admit words into the Bill to give it effect, as they are content with the words in the Bill. I seek to recognise the claims of the Native Representative Assembly. In India the representative principle has been long acted upon, and I know no country in which since ancient times it has been so largely adopted. In my Amendment I have endeavoured to embrace in a constituent whole the existing circumstances connected with the ancient methods, and make them applicable to the Bill. I should have apologised to the Under Secretary for not giving notice of this Amendment but that we are all acquainted with the happy way in which he can deal at once with any Amendment which comes before him. At the end of Sub-section 4 I propose to add these words—

"In those provinces or territories where the ancient institutions of the country recog-

nise the representative principle, such as the village punchayet, or the village council, regard shall be paid to such old custom in the nomination or appointment of the councillors to be created under these regulations."

Inquiry has shown that these institutions existed long anterior to our rule in India. It has been recognised for many years past by many of our most distinguished administrators how advantageous it would be to India and to our administration if we could make use of those methods which have so long existed in that country. I do not think I could take a more useful instance of a distinguished administrator who has expressed that feeling than the case of Sir Bartle Frere, who 20 years ago read a paper before one of the Indian associations in this country, discussing the question how desirable it was that existing systems in India should be made use of as a means of representing the public voice of the country. He referred to the Village Councils which existed almost everywhere in their ancient form, and said—

"The chief significance of the Village Councils in regard to ascertaining public opinion would be that they would form a body of real representatives to state the opinions of their fellow-villagers in the District Councils."

That is exactly the point I want the Government to come to in their acceptance of this Amendment, or, at all events, in their method of dealing with the section to which my Amendment is appended. I have before the House a Bill which has not come to the Second Reading, and which deals at considerable length with the method of village representation, and carries it on to its logical result through the provincial representation and the Supreme Council. But now that the Government have accepted the possibility and probability of the Government of India making use of this power which they say is entirely given to them in the Sub-section to which this Amendment is appended, I hope they will also see their way to give some expression of their views as to the desirability of accepting any ancient system of representation existing in India, whereby this elective principle would be satisfactorily applied, because, as I understand, the great objection

which has been raised to the elective principle in India has been the difficulty, and almost the impossibility of applying it. I believe that in these Village Councils is to be found an easy method of dealing with a very difficult and complicated subject, namely, that of adapting to Eastern countries Western principles of government. The ancient system of Village Councils is still strongly in force. Why, even in the ordinary procedure in our Courts of Justice half the decisions in small matters are the decisions really of the Village Councils. My Amendment is sufficiently broad and elastic to prevent its being said that any special form, any particular law, or any precise rule is laid down for the use of the Indian Administration in that country. It only specifies the desire of this House, which I believe is fully shared by all hon. Members on both sides, that where it is possible, and where the method is one which has its origin in old customs and in old systems, that method should be applied in carrying out the object of the Bill which the Under Secretary is conducting so ably. I venture to move my Amendment—

Amendment proposed,

In page 2, at the end of the Clause, to add the words:—"In those provinces or territories where the ancient institutions of the country recognise the representative principle, such as the village punchayet or the village council, regard shall be paid to such old custom in the nomination or appointment of the councillors to be created under these regulations."—(*Sir William Plowden.*)

Question proposed, "That those words be there added."

*(10.11.) MR. CURZON: The hon. Member who has moved this Amendment is anxious that in the possible application of this clause to the Government of India the Indian Government shall not lose sight of old systems and old methods. There is no doubt that the existing system of the Village Council in India is a very ancient and valuable institution; but I think the hon. Member loses sight of the fact that the Village Council is not in itself a form of Council which can be said to be based on the elective principle at all. The members of the Council are chosen—but not by a system of election to which we should apply the term—on account of their

personal *status* or qualifications by the consent of their fellow-villagers. These Councils are very valuable, and are excellently qualified for the discharge of the local business with which they have to deal; but I must point out to the hon. Gentleman that they have no legal *status* at all, and if this Amendment were carried out it would be necessary to give them a legal *status*. I must point out, in the second place, that the Village Council, as an electoral unit, is extremely small, and far too small to be made use of in such changes as we contemplate in this Bill. The hon. Gentleman has introduced a Bill in this House for the improvement of Indian Councils which commends itself to his judgment, and which is mainly based upon the Village Councils. I had occasion, in the discharge of my official duties, to study that Bill, and I shall say nothing about it now except what, I think, the hon. Gentleman himself will admit, namely that it is a very complex and difficult Bill—a Bill bristling with complexities and with contentious points. The main ground, however, on which I would ask the Committee not to accept this Amendment—indeed, I would ask the hon. Member himself to withdraw it—is not because of any inherent defect in the Village Council itself, but because of the general grounds upon which I have been advocating this Bill. We have consistently taken up the line of saying that whilst giving a broad indication to the Governor-General of the lines on which he might proceed, we do not desire to hamper him in the smallest particular by any suggestion, and much less by any command—and this Amendment amounts almost to a mandatory clause. I might fortify my position by again quoting from the speech of the right hon. Gentleman the Member for Midlothian; but I will only repeat that the Government desire not to specify—not to particularise—but to leave ample discretion to the Viceroy. If Village Councils are to be mentioned, why not Municipalities, Local Boards, and other Bodies, which are representative of larger areas, and why not the Universities? The Committee will act wisely if it refrains from entering

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into these particulars, and if it leaves the application of the principles laid down to the Viceroy in Council.

*(10.12.) MR. SEYMOUR KEAY
It seems to me that with all his ability the hon. Gentleman who is in charge of this Bill has been able to find practically no answer except one to the representations which have been made to him from this side of the House. The burden of his reply is always to this effect: "Leave everything to the Viceroy." Now that is just the worst objection that we have to the Bill, or, at all events, to the only clause which is of value in it—namely, Sub-section 4. I have the very highest esteem both for the distinguished abilities and high character of the present Governor General. But I believe that no Governor General will be strong enough, however willing he may be, to take the initiative in this matter. The hon. Gentleman must admit that the answers he has given to the very mild Amendments moved on this side of the House have been hardly sufficient. He has not even attempted to reply to the assertion I have repeatedly made that the Governor General would not have the moral courage to put any part of this scheme in force unless he received some directions in regard to it. The Bill has been allowed to drop into nothing but a mere Party measure, to deceive England and not to benefit India. I might parallel it if I put it with the Small Holdings Bill, in regard to which the right hon. Gentleman the President of the Board of Agriculture (Mr. Chaplin) has practically said, "Leave everything to the landlord." We all know that the landlords will not do anything. In like manner the Government now say, "Leave everything to the Viceroy," well knowing that the Viceroy will not and cannot do anything, unless he receive directions in the matter. Thus both Bills have been introduced as nothing else than electioneering devices put forward in view of a more or less early Dissolution.

COLONEL NOLAN: This Amendment is not much understood by the Committee. I do not profess to say I understand it myself. I have always voted in this House against indirect

systems of election, and I think the Radical Party have always been against it. I know very well what its effect has been in Ireland. It should be recollected that if it were introduced into India it might be re-introduced from there into this country, which would be a very dangerous thing. I am strongly inclined to vote against the Amendment.

*SIR R. TEMPLE: I do not wish to detain the Committee by discussing this system of election. I would only point out that, although the Indian name of Village Councils sounds pleasantly to Indian ears, still those Councils could not be utilised under this Bill. If a place partook of the character of a town, the chances are that it would have a Municipal Constitution, whose members would be elected. Places of less extent would be mere villages, and it would be difficult to devise any scheme by which they could co-operate in electing members of Council. Whilst fully admitting the value that attaches to ancient institutions in the villages, I hold that they are not suitable to the purposes of this Bill, and that, therefore, it is not practicable to introduce them.

DR. CLARK (Caithness): I think this Amendment is the most important proposed to night. It will embrace the class which pays all the taxes and bears all the burdens—men who know the wants of the agriculturists, and will be able to express them. If we are to introduce the system into India I think this is the best way of commencing. The hon. Member for Galway seemed to think that this is a new idea in India and in Europe, but the French Senate is elected by an analogous system to the one now proposed. Perhaps we were strongly against it in the old form as applied to the Board of Works; but I think it is the most suitable for Eastern countries, and will be more in consonance than any direct form of representation. We must remember that the rack-renter in India is the Government. What they have to do is not only to consider the question of legislation, but also of administration. This class is governed as autocratically and despotically as the Russians are governed. They have

no voice, and very often when their rents are raised injustice is done. Seeing that they bear the burden, I consider that they should have some share in determining who are to represent them in the various Councils.

MR. MORTON: I consider this Amendment, which proposes to utilise some of the old elected bodies in India, a step in the right direction, although a small one. While myself objecting to indirect election, I suppose, if we cannot have the direct system, that we had better accept the indirect, on the principle that half-a-loaf is better than none. There are some, however, who deem this system suitable for new countries, and it has, in some measure, been adopted in the United States. I have been struck to-night by the fact that whenever the hon. Baronet the Member for Evesham speaks after the Under Secretary, he says precisely what the latter has said, and that if the Under Secretary follows him he also says ditto. That is a nice family arrangement. No matter what the Amendment proposed may be, the Under Secretary has always two answers ready for us. One is a desire to leave everything to the Governor General, and the other is that the right hon. Gentleman the Member for Midlothian has opposed it in a speech on the Second Reading, or has made a statement in some way opposed to the proposal. I am surprised the Under Secretary of State cannot supply us with any authority from his own side of the House. He has said nothing regarding Lord Salisbury's opinion of India, and nothing as to the opinion of his own Leader, the First Lord of the Treasury. Indeed, it seems to me that this matter is really left to the genius and talent of the right hon. Gentleman the Member for Midlothian. I am glad to think, however, that the Tory Party are obliged to rely upon the right hon. Gentleman in this matter as in many others, although I should have been very much better pleased had they advanced reasons of their own. I do not think India will ever be governed properly until you interest the people, and as I believe this Amendment is a step in that direction I have pleasure in supporting it.

DR. TANNER: If you are going to do anything for these people in India, should not they be allowed some voice as regards their own representation? Is it to be despotism or an approach to a form of representative government? We are told in connection with all these Bills, whether in relation to India or Ireland, that we must be governed by the sword; that we are worse than Hottentots. Here we have a proposal emanating from an hon. Member who knows a great deal about the condition of India, who shows that you have a system of government existing in these villages, and who makes a proposal to substantially recognise that fact, and so to incorporate that existing system as to create a form of government that will satisfy the people, and be for the benefit of the rulers and ruled. But everything is to be left to the former, and nothing to the latter. I believe the time has come when we should endeavour to undo some part of the miserable system which exists in India—something that will reconcile the natives of India to British rule, and something that will elevate the people of India as their cause deserves. I hope, therefore, that this reasonable proposition will be conceded by Her Majesty's Government. If not, we shall have the satisfaction of going to a Division and registering our opinion against a sham measure, introduced for the purpose of throwing dust into the eyes of the people.

(10.45.) Question put.

The Committee divided:—Ayes 47; Noes 94.—(Div. List, No. 84.)

DR. TANNER: I propose now that the following words be added to Clause 2:—

“Provided that any 20 taxpayers of a Presidency or Lieutenant Governorship may apply to the Governor General in Council for leave to petition the High Court for the removal of such Councillors on the ground of corruption, malversation, or oppression, or of persistent disobedience to the law, and the Governor General in Council, if of opinion, after hearing evidence, that there is a *prima facie* case, may give such leave. The petition shall be presented to the said taxpayers within 21 days after leave is given, and shall be tried by two Judges of the said High Court; if the said Judges find such Councillors guilty of knowingly pursuing a course of corruption,

malversation, oppression, or persistent disobedience to the law, they may order such Councillors to be removed; and the Governor General in Council shall nominate in their stead, as Councillors, such other persons as he shall think fit.”

The Committee will see that I have absolutely adopted a portion of a celebrated Government Code not yet passed into law, and I hope, therefore, that this Amendment will be accepted by Her Majesty's Government.

THE CHAIRMAN: The hon. Member's Amendment is not in Order.

Clause 1 agreed to.

* (11.0.) MR. SCHWANN: I will not move the whole of the Amendment which stands in my name on Clause 2, but I will go to the one which commences with line 26. Clause 2 seems to me to be one of the very best portions of the Bill, because it gives to the Legislative Council an opportunity of discussing the Budget every year. That is a very good point in itself, but there are some additions which I should like the Government to make. By this clause no member of the Council has power to submit or propose any Resolution, or to divide the Council, or to ask for papers on financial matters. I think those powers should be introduced, and I think the members should have power to record their votes, if they think proper, by way of protest against any principle which is adopted in the Budget. The Under Secretary, on the Second Reading, spoke of the benefit of increased publicity, and I quite agree with him; but I do not see why we should not go further and allow the members to divide the Council and record their votes. The financial question is practically the most important that can be considered in India. The present condition of the country is one of wide-spread poverty, and I do not see that it would be any good for members of the Viceregal Council to examine and discuss financial matters unless they are able to divide the Council upon them and put their votes in evidence on record. The poverty of India is phenomenal. In England the average earnings per head of the inhabitants is £41; in India it is £2, or about 28 rupees. The average surplus per individual remaining over in England is about £4 3s. 2½d.;

in India it is about 4½d. India, as we know, is an agricultural country; but in Australia, where there is a population of about 4,000,000, the value of the stock of horned cattle, sheep, pigs, horses, &c., is £113,500,000 sterling; whereas in India, with a population of 140,000,000, the live stock, such as oxen, buffaloes, horses, &c., &c., is valued at £90,250,000 only. Then the native trades of India have been affected by competition from this country, and this is a matter, surely, which ought to occupy the attention of the Financial Council in India. In India the agricultural industries represent 86 per cent. of the whole, other industries 12, and trade 2. In England the land stands at only 14 per cent., manufactures 30, and other occupations 55. But although India is represented so high in proportion in the matter of land, Sir James Caird some years ago said "that the quantity of land cultivated in proportion to the population was the smallest known." These are points which should occupy the attention of the Financial Council. Then there is the Salt Tax, the tax on spirits, opium, &c., which all need careful study and debate, with the view of relieving the burden of taxation and the miseries of a use of noxious drugs and drinks. In the United Kingdom, France, the United States and Germany there is an annual saving of £554,000,000; but in India, which has a population equal to all these four countries, there is only a saving of £3,500,000 per annum. I will not occupy the time of the Committee in pointing out how this poverty can be relieved; but I think it is little better than a farce to provide that while the financial statement should be produced the members cannot divide the Council upon the proposals it contains.

Amendment proposed,

In page 2, line 26, to leave out all after "declared" to "Act," in line 30, and insert — "Provided the rules to be framed shall give power to any member of such meeting of the Council, when financial matters are under discussion, to submit or propose a resolution, and to divide the Council in respect of any such financial discussion; the rules shall also provide for the right of any member to enter a protest in writing, which protest shall be duly recorded in the proceedings of the Council for the day on which such protest is made. Provided, further, the rules to be framed shall give power to any member at any such meet-

ing of any such Council to submit or propose a resolution for the production of papers relating to any question, and to divide the Council in respect of any such resolution; any member may enter a protest of dissent from the decision of the majority, and such protest shall be duly entered upon the proceedings of the Council. Further."

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(11.10.) MR. CURZON: I am afraid that the hon. Member has not shown any adequate appreciation of the magnitude of the proposal which he asks the House to accept. With respect to the protest in writing, I should like to point out that in the case of the financial discussion it would be superfluous. It would be in the power of any member to make a speech, and that speech would be reported, and the protests in writing would merely go to make up a voluminous and preposterous record of the proceedings, and would give the Council in India powers which it has not been suggested should be given even to this House. With respect to questions, if the Amendment were carried you would destroy the object of this Bill. It is intended by the restrictions to reserve to the Government a certain amount of discretion in the matter and if you decline to allow a discussion on a certain subject, and yet permit the minority to protest, you are providing scope for a discussion, and that discussion of a one-sided character. With respect to the general character of the proposals made by the hon. Gentleman, they seem to me to be not less subversive of the character and scope of the Bill than those he tried to introduce with reference to election. I think, if I may say so with respect, the hon. Gentleman entirely misconceives the character of these Councils. They are deliberative bodies with special reference to the subject before them, and they must remain deliberative bodies. But the hon. Gentleman wishes to alter this, and to turn them into Parliamentary bodies more or less similar to this House. But is not this a hopeless confusion of ideas? We cannot have a Parliamentary system in India. I am sorry to repeat myself, but I am bound to do so when the same arguments are brought up again and again against the Bill.

The Government must be in a majority in India, and the majority must be the Government; it cannot resign, because there is no Opposition to succeed it as in this country, and, in the case of an adverse vote or any other contingency arising, the minority would not be able to step in and take the place of the Government. Does the hon. Gentleman see the logical corollary of a victorious Opposition? Does he mean that in these Provincial Councils the Government are to give way to a victorious Opposition? Unless he means that the discussion that he asks for would be purely academic, and the power to divide would merely emphasize the impotence of the minority. I believe, if these provisions were introduced, they would only generate friction between the official and non-official members of the Council; and no single proposal advocated to-night would do more to hamper and embarrass and dislocate and ruin our Government in India than the one I am now considering. As to the power of unrestricted discussion, I can imagine nothing more undesirable than unrestricted discussion of the financial arrangements between the Imperial and Provincial Governments, in which officials might be called upon to defend arrangements for which they might not be responsible, on which they had not been consulted, and which might have been arrived at by the Imperial Government without their knowledge, and even without their consent. The proposal of the hon. Gentleman might be a source of very great friction, not only in the Council itself, but in the settlement of the financial relations between the Provincial and Imperial Governments. The same holds good with regard to Divisions upon the right of interpellation. If you have no check you might have questions asked at a most critical juncture on the relations between the Provincial and Imperial Governments, and a Resolution might even be moved upon a question of Imperial policy on which a Provincial Government has no right to express an opinion. Lord Kimberley said that he believed it was the right thing to give the right of interpellation, but that it was not a light matter to give that right,

Mr. Curzon

which must be carefully guarded, or it might be a source of great embarrassment to the Government. If the power for motions, resolutions, and divisions which the hon. Member asks for were given, I believe it would result in a very grave and serious condition of things. The whole object of the Bill, in making these two concessions—the right of criticism of the Budget and of asking questions—is to facilitate the giving of useful criticism, and undoubtedly the Government hope by these means to give power of expression to representatives of public opinion and of the native communities in India which they have not hitherto possessed. But this advantage might be purchased at too great a cost, and the benefits would be altogether wiped out if we introduced these extensive privileges, which could only have results that would be perfectly disastrous. The Government cannot for a moment consent to accept the Amendment, and I do not think the hon. Member can have any adequate conception of the difference between the Councils in India and Parliamentary bodies in this country when he asks us to introduce it into the Bill.

(11.25.) *Mr. MAC NEILL:* I am sorry the Government will not accept the Amendment of my hon. Friend, and I do not think the Under Secretary has put forward any powerful arguments against the right of protest. The right is already well known in Indian affairs, and in the Council of the Secretary of State for India at home protests are the order of the day. Protests are very useful; they give in short form the Constitutional history of a country, as is shown in the history by the late Professor Thorold Rogers. I do not think the power of division and motion for the further production of papers would be any use at all, but I do not see why the right of protest should be withheld. The mere fact of the existence of the necessities which urged my hon. Friend to move the Amendment ought to be sufficient to lead to its adoption. The hon. Gentleman must know that these are practically provisions which are incorporated in the very constitution of the Council of the Secretary of State, and I do not see why he should

not allow these to be incorporated here. His remarks in opposition to the Amendment go to show that the power of interrogation will become ineffectual and a mere farce. Discussion of financial questions will be utterly impracticable, will be useless, if there can be no division, people will not be able to see, the light of public opinion cannot come in on various questions, and it will not be seen how opinion is accentuated when there is no power of division and interrogation. I very much regret that after 30 years of immobility as far as this question is concerned, we should have this sham measure proposed, and I make my earnest protest, though I am reluctant to prolong this discussion now. From first to last the hon. Gentleman has not made a single concession to Members who are endeavouring to fight the cause of the Indian people. With great ingenuity and readiness of resource the Indian Secretary has replied to our arguments on the spur of the moment; but throughout he has not shown the slightest conciliatory spirit or endeavour in this Bill to consult native public opinion. At the very outset of these discussions I said the Bill would not confer a single benefit on the people of India, and now at the close I am bound to say that opinion is intensified when I find that this Amendment is rejected which would make the power of interrogation effective. I can only express my deep regret and great disappointment.

*(11.34.) MR. SEYMOUR KEAY: In his last speech the Under Secretary has I think unintentionally somewhat misled the Committee when he said that these Councils are deliberative assemblies. I think the Committee would understand from that that they are at this moment very much of the character of those mere debating societies, to which the hon. Gentleman said they might be reduced under certain conditions. Now, he must be thoroughly aware, and many Members of the Committee must be aware, that these are Legislative Councils in every sense of the word, and that it is to them, and to them alone, that India is indebted or misindebted for legislation under which government for good or bad is at this

moment carried on. In the Debate on the Second Reading of the Bill I ventured to point to clauses of certain enactments which I considered were of the most oppressive character, and which were all passed by these self-same Legislative Assemblies, which the hon. Gentleman nevertheless calls deliberative. I will not at this hour go on to expatiate on details connected with the evil legislative work which has been done by the Councils; but I do say that the Amendment of my hon. Friend would go far towards rendering less farcical some of the pretended concessions of Clause 2. I do not hesitate to say that the clause as it stands pretends to make concessions, but really makes none. On financial questions, where the power of discussion would be most valuable, the concession given with one hand is withdrawn with the other, by conditions and restrictions which may be prescribed, and the same observation applies to the alleged concessions regarding divisions and interpellations. Therefore I say, without hesitation, that the people of India will declare, as we are bound in our places here to declare, that the clause as it stands is a sham, and that the Amendment of my hon. Friend would render the clause really effective, although I do not say that the reform he proposes, if carried, would even then be considered extremely valuable or important. Then, with regard to the objection of the hon. Gentleman to the recording of protests, I join with others who have spoken from this side of the House in expressing surprise that the hon. Gentleman, on the part of the Government, did not make a concession to this very moderate demand. The only reason I can imagine why he did not do so is connected with the whole tenour of the hon. Gentleman's speeches to-night. I think the Committee, and I think public opinion in India, when these Debates are read there, will read a strong lesson as to the opinion of Her Majesty's Government respecting the awful condition of biting poverty, and latent disaffection consequent thereon, in which India is. The hon. Gentleman must be convinced of this, for has he not come forward time after time in these discussions,

and met our mild Amendments for the amplification of this Bill by the single declaration, "There is danger in everything you are proposing—danger of nothing less than the wreck and ruin of the Government of India"? Such alarmist language shows, I think, that the mind of the Government is at last alive to the awful state to which India has been reduced by a purely bureaucratic system of Government. The hon. Gentleman has alluded to the remarks of Lord Kimberley in another place, when the noble Lord said that the power of interpellation must be accompanied by considerable safeguards, amongst others the safeguard of an answer not being compelled when deemed inconsistent with the public interest. Well, I am not aware that my hon. Friend provides that Members of the Executive Government shall be compelled to answer dangerous or inconvenient questions. The same custom would, in fact, be recognised in the Legislative Council of the Governor General which is recognised in this House, where a Minister does not feel bound to answer at all times and seasons what he considers questions inimical to the public interest. That custom is well recognised, and I myself have had experience of it when the predecessor of the hon. Gentleman has told me—and I have not disputed his right to do so—that on behalf of the Government of India he must decline to answer certain questions as not being in consonance with the public interest. Then does that fact not render altogether meaningless the objection of the hon. Gentleman to this part of the Amendment? I am perfectly convinced that, when the people of India read these Debates, and especially when they read how this Amendment has been received by the Government, they will be confirmed in the impression that this Bill has been introduced for the purpose of throwing dust in the eyes of the English people. I do not suppose it is intended or even hoped to deceive—and it will certainly not deceive—the people of India. The Government are thinking not at all of the far-off 300,000,000 of the people in India, but of the 38,000,000 nearer to our doors in this country.

Mr. Seymour Keay

(11.40.) MR. MORTON: I am sorry to find the Government persist in refusing this very mild Amendment. I gather from the speech of the Under Secretary for India, that not only is the Bill a sham, but that the Indian Councils are also a sham; for he tells us that everything must be left to the Governor General in Council, and beyond that he cannot go. I do not blame the hon. Gentleman; he but follows the determination of the Government to shove the Bill through without any Amendment. The last speech of the hon. Gentleman was, I think, incomplete, because he did not give us the opinion of the right hon. Gentleman the Member for Midlothian on this point. Perhaps he will supply this omission. As the Bill stands, I confess I do not see what actual power the Councils will have when, in regard to financial proposals, members are debarred from moving resolutions and taking divisions—a most extraordinary proposal to be accepted by this House of Commons. How can the opinion of a Council be expressed without a division? Speeches may be made, and those speeches will be officially reported, and I suppose the Governor General may eliminate from the reports what he considers dangerous matter. Even then the speeches are not read in this country, if any of the Indian people read them. But what does it all amount to more than the mere talk of a tea meeting? Really, it is difficult to understand why the Government take up time in resisting this very sensible Amendment. Is there anything unreasonable in the suggestion that a minority on the Council should have the right to record a protest? The House of Lords claims and exercises the right for a minority to record a protest, be that minority ever so small, and I do not know that that has ever been considered an improper proceeding. Surely the Tory Party might allow a custom of their pet institution to be carried out in India. Or is it that they consider the House of Lords cannot long survive, and that it is not wise to carry any of its customs into another country? Have not Members of the Tory Party, and notably the late Leader of the House (Mr. W. H. Smith), argued in favour of

the record of a minority protest in this House? Practically, we have the power of making a protest by the right to take a Division, and I really cannot understand the fears of the Government which prevent them from conceding the right to the Indian Councils, nominated as the members will be, as men thoroughly to be depended upon by the Executive. If members were freely elected by the people I could understand the Tory fears of what the Council might do. For my own part, I am not at all afraid of the people. I am inclined to think, with regard to these Councils, that the more you take these people into confidence—the more you trust them—the better will be the Government of the country, the less will be the cause for alarm as to what may happen. To show the people we have some confidence in them the Government might well accept this Amendment as indicating we are not afraid to allow them a *bona fide* and actual share in the little matters of administration in which these Councils are concerned. I cannot say I hope the Government will make this concession; but at least we, the Radical section of this House, have endeavoured to show the people of India that we are anxious to do away with the necessity for holding that country by the sword. We would give the people some share in the government of their land, and the people of India may rest assured that the democracy of this country are anxious to do this justice.

(11.50.) DR. TANNER: I think we might have expected from the Under Secretary some answer to the remarks of the hon. Member near me (Mr. S. Keay). The hon. Member has accused the Under Secretary of trying to mislead the Committee. I listened with that attention which is due to the remarks of a responsible Minister, but I failed to understand how the hon. Gentleman supported the statement that these are merely deliberative Councils, and not legislative assemblies in any sense?

SIR R. TEMPLE: They are.

DR. TANNER: Of course we are dealing with questions of taxation, where they have no legislative power; but in dealing with other matters we have been distinctly told that

the Councils have power to make laws, they have the power to vote, and therefore the power of veto; and, if so, what becomes of that part of the speech of the Under Secretary, in which he spoke of the impossibility of allowing a defeat of the Executive Government?

MR. CURZON: These Councils are legislative, with full power of speech, of moving Amendments, and of voting, but the suggestion of the hon. Member has reference to financial discussions and the right of questions thereon.

DR. TANNER: That is the first clear explanation we have had, and if it had been given earlier we might have decided on the Amendment half-an-hour ago. We are not all experts on these Indian subjects, and have a right to expect plain business-like explanations on matters we are required to deal with from a paid Under Secretary of State. But I must say I think the hon. Gentleman has trifled with the time of the Committee.

Amendment negatived.

THE CHAIRMAN: Does the hon. Member (Mr. Schwann) move other Amendments?

MR. MAC NEILL: We propose to take a Division on the present Amendment.

THE CHAIRMAN: A Division was not challenged.

MR. MAC NEILL: I beg pardon; it was, Mr. Courtney.

THE CHAIRMAN: I put the Question that the words proposed to be left out stand part of the clause, and this was assented to.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(Dr. Tanner,) put, and negatived.

*(11.58.) MR. SCHWANN: I wish to move the Amendment to the end of the clause in reference to the presentation of a record of the proceedings to Parliament. I do not think I need enter into any long explanation. The expense will not be large, and I hope the Under Secretary can accept this Amendment.

Amendment proposed,

In page 2, at the end of the Clause, to add the words, "A record of all proceedings at the meetings of the Viceroy's Council, as now published in the 'Gazette of India,' and of the Presidency and Provincial Councils, shall be published in separate volumes and presented yearly to Parliament."—(Mr. Schwann.)

Question proposed, "That those words be there added."

*(11.59.) MR. CURZON: This, I think, is superfluous. A copy of these proceedings is always furnished to the Library of this House, where any Member can refer to it. I do not see that anything will be gained by introducing the Amendment.

MR. SCHWANN: With the leave of the Committee I will withdraw the Amendment.

(12.0.) DR. TANNER: But I think the hon. Member must have known that there is this copy available, and our view is that the reports of the proceedings are meagre and insufficient.

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again on Thursday.

ROADS AND BRIDGES (SCOTLAND) ACTS AMENDMENT BILL [*Lords*].—(No. 232.)

CONSIDERATION.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."

(12.2.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I am not going to move any Amendment, nor could I now do so; but I wish to give notice that I intend, on the Motion for Third Reading, to move that the Bill be re-committed in order that a provision may be inserted restraining road authorities from destroying or injuring places of public interest in Scotland under powers they at present possess.

Motion agreed to.

Bill, as amended, considered; to be read the third time upon Thursday.

PLUMBERS REGISTRATION (*Re-committed*) BILL.—(No. 95.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday, 29th June.

NAVY (VICTUALLING YARD MANUFACTURING ACCOUNTS, 1890-91).

Annual Accounts presented,—of the Cost of Manufacturing, Provisions,

Victualling Stores, &c., at the Home Victualling Yards for 1890-91, with the Report of the Comptroller and Auditor General thereon [by Act]; to lie upon the Table.

DUBLIN BARRACKS BILL.

Ordered, That Mr. Barton, Mr. T. M. Healy, and Mr. Brodrick be Members of the Select Committee on Dublin Barracks Bill, with Two Members to be added by the Committee of Selection.—(*Mr. Brodrick.*)

HOUSING OF THE WORKING CLASSES (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to amend "The Housing of the Working Classes Act, 1890," as to Scotland, ordered to be brought in by The Lord Advocate and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 293.]

HIGH COURT OF JUSTICIARY (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to regulate the Sittings of the High Court of Justiciary in Scotland, ordered to be brought in by The Lord Advocate and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 294.]

ADJOURNMENT.

(12.10.) Motion made, and Question proposed, "That this House do now adjourn."

MR. A. J. BALFOUR: I think it may be for the convenience of the House if I make a statement as to the Business for Thursday. On the Tuesday when we separated for the Easter Recess, I stated that on Thursday we proposed to take the discussion on the Budget; but I regret to say that I have just had a notification from my right hon. Friend the Chancellor of the Exchequer that he will not be able to be present in the House on Thursday, he being confined to his residence by sickness. The Business, therefore, for Thursday must be changed, and I propose to ask the House to take the Second Reading of the Clergy Discipline Bill. I do not make this an absolute arrangement, or give an absolute pledge that this will be the first Order; but I think it will be convenient to give the earliest notice of the change which will have to be made.

Motion agreed to.

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF COMMONS,

Tuesday, 26th April, 1892.

QUESTIONS.

STOLEN POSTAL ORDERS.

MR. R. CHAMBERLAIN (Islington, W.) : I beg to ask the Postmaster General whether his attention has been called to the fact that the public have suffered loss from the circulation of genuine postal order forms (said to have been stolen from a post office), but with forged postmaster's signature and date stamp of issuing office; whether, in this case, any compensation will be made to the innocent holders of these orders, who have given value for them; and whether any measures will be taken to prevent the perpetration of similar frauds in future?

*THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N E.) : A small number of blank postal order forms were stolen from a post office in London in January last and by forgery of the kind described in the question were made to appear as if they were complete postal orders. Taking advantage of the readiness with which postal orders are accepted as currency, even where the regulations prescribed by Parliament have not been complied with, the thieves passed them off on tradesmen and others. Steps meanwhile had been taken to put all paying offices on their guard and in several cases where the forged orders were presented at post offices payment was refused. No doubt the immediate holders of the forged orders are innocent in the sense that they gave value for them; but in accepting them as currency, and that, too, from persons whom they did not know, they did so at their own risk, and of course the Department cannot be responsible for the consequences. Measures are being taken which will tend to prevent frauds of this kind in the future.

THE VACCINATION COMMISSION.

MR. CHANNING (Northampton, E.) : I beg to ask the President of the

Local Government Board when the Interim Report of the Royal Commission on Vaccination will be printed and distributed?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's) : I am informed that the Commission have made a preliminary Report, and I have no doubt it will be printed and distributed within a very short time.

MICE PLAGUE IN SCOTLAND.

MR. CHANNING : I beg to ask the President of the Board of Agriculture whether his attention has been called to the increasing discontent among agriculturists in the South of Scotland as to the "mice plague," and to the alleged urgent danger of sheep stock owing to the serious deterioration of hill pasture; whether he has considered the resolutions passed at a meeting at Moffat, on Saturday, 16th April, regretting the refusal of the Board of Agriculture to take action in the matter, and calling for "a more exhaustive and systematic inquiry"; and whether he will either cause such an inquiry to be set on foot without delay, or will introduce or support a Bill temporarily prohibiting the further destruction of birds of prey and vermin which have usually been found to keep mice down?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford) : My attention has been called again to the ravages of the mice plague in certain counties in Scotland, and during the holidays I have received further communications on the subject from my hon. Friends the Members for Lanarkshire and Kirkcudbright and from meetings of agriculturists in that part of Scotland. In deference to their representations I have directed a further inquiry to be made, although I am not sanguine as to our being able to add much to the information we possess already. With regard to the Bill suggested for the purpose of temporarily prohibiting the destruction of birds of prey and vermin, I apprehend that what is required is some remedy for the plague which should take immediate effect; whereas the operation of any such Bill could only be distant. I have no reason to

believe, so far as I am at present informed, that the sudden appearance of the mice plague is due to the destruction of birds of prey and of vermin, which has been the practice for years. But if it is shown upon further inquiry that a remedy can be supplied either in that or any other direction by legislation, I should be prepared either to introduce or support any measures which promised to be effective for the purpose. I am perfectly sensible of the gravity of the situation in which sheep farmers in Scotland are placed by this plague, and the hon. Member may be assured that anything that can be done shall be done; but the difficulty at present is to devise any remedy which is likely to be adequate to the occasion.

PROVISIONS IN THE MERCANTILE MARINE.

SIR E. HARLAND (Belfast, N.): I beg to ask the President of the Board of Trade whether his attention has been called to the Report for the year 1891 of Her Majesty's Consul General at Havre, in which he states—

"I have observed that much is being said of late, and a good deal of criticism passed, about the food and accommodation furnished to seamen. I cannot call to mind any complaints which have been made to me on the ground of bad food, and the few cases which have been brought to my notice have been where some article was given out during the voyage, with the result that a money compensation has been paid to the men in respect thereof;"

and whether he has any reason to doubt the correctness of those statements; if not, whether he will encourage any further legislation on the subject of provisions at sea until such has been found desirable after full inquiry by, say, a Departmental Committee of the Board of Trade?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My attention has been called to the Report referred to, and I see no reason to doubt that the extract quoted in the question of my hon. Friend correctly represents the experience of the Consul General at Havre, but the Consul General also admits that there are cases in which there is ground for complaint. I do not regard the absence of complaints

at Havre as conclusive evidence of the good quality of the provisions supplied to all British ships, nor do I think it necessary to postpone legislation in order that such an inquiry as my hon. Friend suggests may be held.

CORDITE SMOKELESS POWDER.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Financial Secretary to the War Office whether the patent for cordite smokeless powder is Specification No. 5614, A.D. 1889, "An improvement in the manufacture of explosives for ammunition"; and, if so, on what date the patent was assigned to him; on what date did he certify to the Comptroller his opinion that, in the interest of the Public Service, the particulars of the invention, and of the manner in which it is to be performed, should be kept secret; on what date was the complete specification left, and on what date was it accepted; in what foreign countries have Sir Frederick Abel and Professor Dewar patented cordite; whether the foreign patents are secret or open; and to whom the profits of these foreign patents are to go?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The patent referred to relates to cordite, and was assigned to the Secretary of State on 24th June, 1890. On 28th June, 1890, the Secretary of State certified that it would be for the public advantage that the particulars of the invention should be kept secret; but he has since decided that such secrecy is not now necessary. The complete specification was left on 2nd April, 1889, and was accepted on 2nd July, 1889. I am not able to answer the last three paragraphs of the question.

COUNTY COUNCIL POLLING PLACES.

MR. BONSOR (Surrey, Wimbledon): I beg to ask the Attorney General whether his attention has been called to the inconvenience arising from the uncertainty of the law as to whether a County Council has power to appoint a polling place for an Electoral Division outside the limits of that Division; and if he will state whether the County Council have any such power?

Mr. Chaplin

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): There is, in my opinion, no uncertainty in the law. A polling place must be situated within the boundaries of the Division.

MR. BONSOR: May I ask the President of the Local Government Board whether he will consider the advisability of introducing a short Bill to remedy this inconvenience?

MR. RITCHIE: I think it would be extremely hazardous for the Government to undertake to amend the Local Government Act this Session.

PARLIAMENTARY REGISTRATION.

MR. LABOUCHERE (Northampton): I beg to ask the First Lord of the Treasury whether, in the event of Her Majesty's Ministers intending to advise Her Majesty to dissolve the present Parliament between the month of September and December of the present year, they contemplate bringing in a Bill to enable all persons being qualified after July next to vote?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The contingency to which the hon. Gentleman refers is remote and uncertain, and the Government have not thought it necessary to consider if any, and what, steps should be taken in the event of such a contingency arising.

MR. LABOUCHERE: Do I understand that if such a contingency does occur the Government will act in such a manner as I suggest?

MR. A. J. BALFOUR: I think the hon. Gentleman can hardly make that deduction from what I have said.

PARLIAMENTARY REPORTING.

MR. LABOUCHERE: I beg to ask the First Lord of the Treasury when he intends to name the Committee upon Parliamentary Reporting that he promised would be nominated after Easter; and whether he has considered the advisability of appointing a Joint Committee of both Houses?

MR. A. J. BALFOUR: If I may take the Question as indicating a desire on the part of the hon. Member or of other Members for the appointment of such a Committee [Mr. LABOUCHERE assented] I will, of course, in

consonance with the promise I gave, appoint the Committee. I think that the further suggestion contained in the second paragraph of the question—namely, that the Committee should be a joint one of both Houses, is well worthy of consideration; but I can hardly give an answer until next week, when the House of Lords meets again. Meantime I will consider the matter.

BUSINESS ON THURSDAY.

MR. J. LOWTHER (Kent, Thanet): Perhaps the First Lord of the Treasury can now inform the House what is to be the business on Thursday next?

MR. A. J. BALFOUR: The first Bill to be set down for consideration will be the Clergy Discipline Bill.

PERSIAN TOBACCO MONOPOLY.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table of the House all Correspondence that has taken place between Her Majesty's Government and the Directors of the Tobacco Concession Company in Persia, between Her Majesty's Government and Her Majesty's Representative at Teheran, and between Her Majesty's Representative at Teheran and the Persian Government, in regard to the indemnity to be paid to the Company in consequence of the abrogation of the concession; whether he is in a position to state who were the persons who obtained the tobacco concession, and what they paid for it; whether they sold this concession to the Company now claiming compensation for £300,000; and whether this £300,000 is included in the amount of compensation which Her Majesty's Representative at Teheran urged the Persian Government to pay to the Company on abrogating the concession?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): The Papers referred to are being prepared, and will be laid when the communications, which are now passing with the Persian Government, are closed. The concession was obtained, as Her Majesty's Government were informed, from the Persian Government by Major Talbot, but

without the intervention of Her Majesty's Government, or their knowledge. They have no information as to the amount paid for it. Her Majesty's Government are informed that it was transferred to the Imperial Tobacco Corporation of Persia for the sum of £300,000. The Papers, when presented, will show the action taken by Her Majesty's Representative at Teheran, which has been directed to an attempt to bring about an amicable solution of the difficulty.

MR. BRYCE (Aberdeen, S.): Can the hon. Gentleman say when we may expect these Papers?

MR. J. W. LOWTHER: I have said they will be laid on the Table as soon as negotiations now passing between Her Majesty's Government and the Persian Government have arrived at a definite result, but when that will be I cannot say; very shortly, I think.

MR. LABOUCHERE: Are we to understand that the presentation of these Papers is to be deferred until the Persian Government have paid this sum of money?

MR. J. W. LOWTHER: No, I did not say that, I said until the negotiations have arrived at some definite issue.

RAILWAY SERVANTS (HOURS OF LABOUR), INSPECTORS' REPORT.

MR. CHANNING: Will the President of the Board of Trade say if he will grant the Return in reference to the hours of labour of railway servants, notice of which I have on the Paper?

***SIR M. HICKS BEACH**: It really amounts to a collection of extracts from Papers already laid before the House, but I have no objection if the hon. Member presses it.

MR. CHANNING: I will move for the Return now.

Return ordered—

"Of all instances in which the Inspectors of the Board of Trade, in their Reports on Railway Accidents inquired into by them since and including the year 1884, have represented that the hours of any of the railway servants on duty on the occasion of such accidents have been unduly long, stating the name, date, and nature of such accidents, and the Railway or Railways on which they occurred, and giving in full the Passages in such Reports relating to such unduly long Hours.—(*Mr. Channing.*)

Mr. J. W. Lowther

THE INDIAN COUNCILS BILL.

MR. BRYCE: May I ask the First Lord of the Treasury when he proposes to finish the Committee on the Indian Councils Bill?

MR. A. J. BALFOUR: It is true the Committee discussion of the Bill was not actually finished last night; but, as the hon. Gentleman knows, practically all the controversial part of the Bill was concluded, and I hope the Bill will pass through Committee in a few minutes this or next week. It is but the fag end of the Bill that remains to be disposed of, but I cannot pledge myself now as to when it will be taken.

MOTIONS.

COAST COMMUNICATIONS.

***SIR E. BIRKBECK** (Norfolk, E.): In bringing forward the Motion which stands in my name in reference to coast communication, I do not think the House will expect from me any apology for taking up a short time with the explanation of such a subject, nor do I think the House will turn a deaf ear to the appeal I make on behalf of the seafaring interests for the better protection of life and property around the coasts of the United Kingdom. It may be thought that in consequence of the answer given by the First Lord of the Treasury to a question I put to him a short time since, there is no necessity for me to bring forward this matter; but I think it will be more satisfactory if it is formally dealt with by the House after a short debate, on which both sides may have an opportunity of expressing an opinion on the proposals I have to make. It will, I think, be a matter of astonishment to everybody, both in the House and outside, when we consider the fact that England is so far behindhand in regard to this question of the protection of life and property at sea by means which have been adopted in many other maritime countries. We occupy the proud position of being the first maritime Power in the world; more shipping comes to the ports around our coasts than to any other part of the world, and it is matter of wonder that we have so long delayed this matter, and have taken no steps

to bring it to a final conclusion. I do not desire for a moment to condemn any Government that they have not taken up this question before this, but inasmuch as every disaster that has taken place around our coasts, where there has been loss of life, must be the subject of official inquiry, a melancholy long list of disasters pigeon-holed at the Board of Trade, must be in existence, and it would be a matter of public interest if it were known, which it probably never will be, to what extent the Board of Trade officials have brought pressure to bear upon various Presidents of the Board, urging that steps should be taken to bring this matter before Parliament. We boast over and over again of the extent of our Mercantile Marine, and we are justly proud of being the ocean carriers for the world. Each year we show the growth of our shipping tonnage; but as regards protection from loss of life in the seas around our coasts we show no progress. Whether it is due to one Department or another—the Board of Trade, the Admiralty, or the Post Office—this question has been shunted from one Department to the other, and no action has been taken. One Department under the Board of Trade has, I think, acted as a convenient buffer for that Department—Trinity House. They have been handicapped to a very great extent by not being supported by Parliament in a liberal way, and what might have been done in the past in regard to communication with light vessels and out-lying lighthouses has been checked by the action of the Treasury. In the result, we occupy a humiliating and unfortunate position, having to admit to the world that while little Denmark, with an import and export trade of 30 millions, has long since successfully dealt with this question of coast communication, and other maritime nations have done much in the same direction, Great Britain, with its annual import and export trade of £743,000,000 sterling, has done but little. The House will see that in the Motion to which I invite attention I have divided the subject into two parts: I have dealt with coast communication proper, and also with the question of cable communication between light vessels and outlying rock

lighthouses and the shore. Inasmuch as the latter question has already been partially dealt with, or at all events experiments have been carried out from time to time, I prefer to deal with this part of my subject first. What I ask for in regard to floating light vessels and outlying lighthouses involves engineering and financial questions, and these should in the first instance be dealt with by a Royal Commission. But as regards the practicability of carrying out a system of cable communication with floating light vessels that has been absolutely proved, has been shown to be absolutely feasible by the experiments off the coast of Essex by cable communication with the Sunk lightship. Communication with this vessel was established in 1884, and in 1887 the then President of the Board of Trade appointed a Departmental Committee to inquire into the question whether or not it was desirable to continue this cable communication with the sunk light vessel, whether it was likely to lead to the preservation of life, and into various other matters connected therewith. I served on that Committee, together with the late Colonel King-Harman, who, as Member for the Isle of Thanet, naturally took a deep interest in questions concerning the preservation of life at sea in connection with the dangers of the Goodwin Sands. We unfortunately found ourselves in a hopeless minority on that Departmental Committee; the Board of Trade opinion was all-powerful, and we were swamped. I regret that I felt obliged, when we came to consider the final Report in 1889, to draw up, and, after Colonel King-Harman's death, to sign, a Minority Report, because the conclusion arrived at by the majority of the Committee was that, inasmuch as there had been a considerable amount of money expended, and there had been little result in the saving of life, it was not desirable that the expenditure should be continued. I have never for a moment regretted that I signed a Minority Report in which I strongly declared my opinion that the experiment ought to be continued over another five years, and that Parliament ought to vote a further and adequate sum for such experiments. As a matter

of fact, during the trial there had been no severe gales of wind at all, it was proved beyond doubt that there had been exceptionally few disasters on the sands adjacent to the Sunk light. The Trinity Corporation were adverse to the continuation, because they felt that the money devoted to this cable communication would be better expended in lighting dangerous sands around our coasts, and one fact which came out in evidence might possibly have influenced the Trinity Corporation. On one occasion, soon after cable communication was established between the Sunk light and the shore, the official in charge of the Sunk light was hailed by a passing vessel the master of which desired to send a communication to land. He came very near the light vessel, and the Brethren felt that the lightship was in some danger; but the Elder Brethren were slightly shocked by the communication the master of the homeward bound vessel desired to send. The captain was a newly married man, and he asked the officer in charge of the light vessel to communicate to the shore a message for his wife that he was safe and sound and would be in port in a few hours. Well, the Trinity Corporation were, as I have just stated, shocked, and this incident, I believe, had some influence in bringing about the unfortunate Report of 1889, which led to the stoppage of the communication between the Sunk lightship and the land. The feasibility of keeping up such communication has been proved beyond doubt. It was proved that the men in charge of the light vessel were perfectly capable of working the cable communication while they could undertake the splicing of the cable and other repairs, and I know, having been on board the Sunk lightship, that it is as easy to communicate through the telephone to the shore as it is to speak through the telephone anywhere on land. As regards whether or not it is better for the preservation of life that there should be cable communication, I have only to point out that in the case of snow-storms or fogs, when rockets are not able to be seen from the mainland, the officer in charge of the light-vessel can telephone the exact position of any vessel in distress, and thus put

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a stop to that which has almost always been the case when a lifeboat goes out in response to a signal of distress, so that they will be able to go direct to the vessel in distress, instead of going to the lightvessel and asking where the vessel is, and probably to be informed that they heard the guns firing from a certain direction, or that they saw rockets in such a direction; and that delay is of the most serious consequence as regards the lifeboat service. I might, in passing, just quote some extracts from telephonic messages which were received on the mainland through the Sunk cable as reported to the Committee of the Board of Trade, the Departmental Committee to which I have referred. On 7th September, 1886, a message was received at Walton, in Essex, from Sunk lightship, by telephone that a

"Vessel was ashore on the South-West part of Long Sand, or on Kentish Knock."

On 17th April, 1887—

"Signals of distress seen on the North-East part Long Sand or Sunk."

On 24th September, 1887—

"A schooner in distress on Long Sand bearing S. by W., a little westerly."

On 24th June, 1888—

"Can hear guns firing in direction of 'Knock.'"

On 22nd March, 1889—

"Barque ashore on lower part of 'Sunk,' bearing South-South-West."

On 16th May, 1889—

"Guns firing at five minutes interval in direction of 'Shipwash.'"

Now I quote the case of a vessel that was lost only last week, on Easter Monday morning. It was off my own coast of Norfolk, eight miles from the shore on the north-west part of the coast, on some sands known as Burnham Flats. The vessel came from the Baltic. It was seen by the lifeboat crew at six o'clock in the morning; the lifeboat was launched, but it had eight miles to go against a gale of wind and a heavy sea. If there had been telegraphic or telephonic communication with the Coastguard it could have been communicated to the Lincolnshire coast at a place called Skegness; and the lifeboat might

have been able to go off to the exact spot with a fair wind, and would have saved at least three hours, and in all probability might have saved seven lives that were unfortunately lost out of a crew of eight. Bearing upon this question of communication with lightships, I have only to remind the House of the unfortunate case of the German emigrant ship *Deutschland*, that was wrecked on the Kentish Knock, 24 miles from the Essex coast, in thick weather. The total crew and passengers numbered 230 men, and of these 173 were saved by the Harwich tug boat, and 57 were lost. The vessel stranded on the north-east of the Kentish Knock at six o'clock in the morning of the 6th December. Guns and signals of distress were at once fired, but they were not seen from the Kentish Knock for three and a-half hours. These signals were not observed on the Sunk lightvessel, 13 miles distant, till 5.30 in the evening; and the Cork lightvessel had the intelligence conveyed to Harwich, five miles distant, which it reached at 7.30 in the evening, 13 hours after the vessel had been wrecked. The lifeboat from Broadstairs arrived too late to save any of these 57 lives. Had there been cable communication in that case, undoubtedly they might have been saved. Then we have the case of the *Indian Chief*, which was wrecked on the 5th January, 1881, on another well-known sand, the Long Sands, 18 miles from the coast of Essex. The crew numbered 29; there were twelve saved by the Ramsgate lifeboat, but 17 were drowned. That is another case where there was a very long delay indeed. I think it was something like 28 hours before the Ramsgate lifeboat arrived at the scene of the wreck. And now we come to a case of a far later date. On the 11th of December of last year the steamship *Enterkin* of Glasgow was wrecked on the Galloper Sands, 25 miles from the Essex coast and 30 miles from Ramsgate. Out of a crew of 30 there were 27 lost; one was saved by a Ramsgate smack, and two by a passing vessel. Here again the vessel was wrecked at 5 o'clock in the evening. The poor unfortunate crew were lashed to the rigging; and it was not till 3 o'clock the next morning that

a fishing boat, *Britons' Pride*, passed the wreck and saved one hand; at 7.30 o'clock the other two were saved by a passing vessel. There are numbers of such cases; but there is no necessity for me to refer to more than these three. As regards what lightvessels ought to be placed in telegraphic communication with the mainland, that is a matter for a Royal Commission to inquire into and consider; and also the rock lighthouses. Undoubtedly the Fastnet, the Tuscar, the Eddystone, the Bishop, and the Bull Rock are all points of very great importance as regards the saving of life. Of course I might be told that in the case of the Fastnet, where communication was made and was in existence for a short time, but ultimately broke down, that it would be very difficult and very expensive to carry it out; still, the Engineers' Reports and the evidence given before the Departmental Committee of the Board of Trade show that it would be perfectly possible to carry out the work there and to carry a cable down below where the wash of the waves would be liable to break the cable, and that there is no difficulty whatever, in an engineering point of view, in carrying out this work. Now, coming to the question of coast communication proper, I take up that on behalf of two great life-saving services—the Lifeboat Service and the Rocket Apparatus Service. Everyone who is engaged in the lifeboat service, whatever the crews may be, are only too ready to risk their own lives, if there is the remotest chance of saving the lives of those who are in danger; and nobody regrets more than the lifeboat crews when they come ashore after a fruitless errand, and have been told that had they received earlier communication they could have undoubtedly saved lives. And it too often occurs that when a lifeboat or a rocket apparatus has got to the spot where a wreck has taken place they only find pieces of the wreck left, and possibly the dead bodies of the poor crew, who might have been saved, and are being washed on shore. All that the lifeboat crews and the men in charge of rocket apparatus ask for is that there should be as rapid and instantaneous communication as possible

with the mainland. There are so many cases where these two services have been sent for either by messengers on foot or on horseback; but in the case of inquiries where loss of life has taken place it has been proved that a foot messenger, or even a messenger on horseback, would not have been able to give the information in time. One well-known case bearing upon this subject is that of the steamship *Lymington*, which was lost in February, 1889, at Lee, not 30 miles from the Hartland quay on the North Coast of Devon, simply from the want of wire between the Morthoe and Ilfracombe Coastguard stations and the Bull Point lighthouse. At the Coroner's inquest, which took place, the following evidence was given:—

"Williams, a boatman, was on the cliffs shouting to the crew. He was there from 12 to about 3.20 a.m. Words of encouragement were shouted, and the crew seemed hopeful and quiet until they found the tide was overtaking them, then their shouts became more frequent; as the tide advanced they increased their calls for help and entreaties for assistance. Each time they were told to keep up hope, as help was coming. When the tide was probably up to their feet, and they knew their vessel must soon break up, their cries became agonising, and as many as four distinct voices, some more powerful and pleading than others, were heard. At last the sea had reached its height, and about 3.15 a.m. a crash and screams were heard, and all was silent. Hours of agony and their lives might have been saved but for the delay of the rocket apparatus, which for want of wire communication only arrived on the spot after the ship had broken up without a single soul upon her reaching the shore alive."

Then there is the well-known case of the s.s. *Schiller*, that was wrecked so far back as the 7th May, 1875, on the Retarrier Rocks, three quarters of a mile E.S.E. of the Bishop Light, five miles West of St. Agnes Island. In that case out of 364 passengers only 44 were saved, by shore boats from St. Agnes, and 320 were drowned. It was proved at the Coroner's inquest that had there been cable communication in all probability all the lives lost in that disaster might have been rescued by the lifeboats and other means. I need hardly say, as regards the Lifeboat Institution, there have been cases where as many as six lifeboats have gone out to one signal of distress. Had there been cable communication from the adjoining

lightvessels probably only one lifeboat need have gone out, and the other five lifeboats and their crews need not have run the risk which they naturally run whenever they do go out. I do not mean to say, in stating that, that the Lifeboat Institution desires for one moment to stop men from going out whenever there is a case of a vessel in distress; but, nevertheless, if there were means of communication between the lightvessels there would be over and over again cases of telegrams to adjoining lifeboat stations giving the information that there was no necessity for the adjoining lifeboats to launch, because one had already gone out to the vessel in distress. But then we have another aspect of this matter to consider, and that is the case of where a steamer or vessel is passing some well-known headland and she is sighted by the lighthouse authorities. She is seen to be in distress; she drives before a gale of wind and is approaching nearer and nearer to the shore, and it is too late to get the adjacent lifeboat out, because the vessel will be driven far beyond their reach by the time the lifeboat is launched. But I am quite certain that if there was a wire to inform a lifeboat station or rocket apparatus ten miles off, the lifeboat there would be prepared to launch and would meet this vessel so driving before the gale of wind; or there might be a telegraphic or telephonic message sent ordering one or more tugs from some adjacent port to proceed to sea and save the vessel. There are numbers of cases off the coast of South Wales where vessels have been lost, and where the crews might have been saved had there been an opportunity of communicating by wire with the tugs to go out and tow them in. In a commercial point of view undoubtedly it has been proved over and over again that there might have been a vast amount of property saved if this coast communication was in existence around our shores. I can quote one case which I saw myself. One of the North German Lloyd's steamers, the *Werra*, was passing down the Channel one Sunday morning. It ran aground at Dungeness, about a quarter of a mile inside the point. It had over 600 passengers

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and crew on board. It was perfectly smooth, I admit; and as I was going down the Channel in a yacht we lowered a boat and asked the captain if we could render any assistance. He stated that he ran aground about 10.30 in the morning. He sent a boat ashore at once in order to telegraph for assistance. He was told by the authorities that the office had been closed at 10 o'clock, and would not be open again till Monday morning. He asked us then to proceed down Channel to Hastings where we sent off a telegram to the post office asking for tug boats to come to his rescue. The vessel was ultimately got off as the weather was smooth, or else undoubtedly she would have been lost. In the case of the *Eida*, which ran aground this last winter on the South of the Isle of Wight, there was no means of sending information except on horseback some distance inland to the telegraph office, and when the captain signalled at seven o'clock in the morning for the lifeboat to proceed to his assistance the crew of the lifeboat at once launched; but a messenger had to go off on foot—I think in one case on horseback—to ask the two adjacent lifeboats to come to their assistance. That is another case where, in a commercial point of view, it is absolutely important that there should be instantaneous communication. Then at Lundy Island there was cable communication, but, unfortunately, it was laid across the tide, and was broken, and has never been repaired, but it was proved that there is no difficulty whatever in the way of its being properly laid. A French steamship, *Tunisie*, ran aground this winter on the 19th February, 1892, at Lundy Island in a snowstorm on a Friday morning, and it was not known on the mainland till the Sunday; though I am bound to admit that all the lives were saved by lines thrown from the cliff in that case. But, in a commercial point of view, there was no power to communicate with the mainland as regards that disaster till the Sunday. I hope there are some hon. Members representing the Naval Service here who will admit the great importance of this question from a Naval point of view. When his Royal Highness the Duke of Edinburgh terminated his duty at the Naval

Reserve Office he wrote a very important Despatch, calling attention to the absolute necessity of having coast communication between all Coastguard stations around the coast of the United Kingdom; and I am glad to think that the present First Lord of the Admiralty during the last few years has added, I think, upwards of 100 stations to the 50 that were in existence prior to his term of office. But though the Admiralty can boast of 150 stations at the present time that are in telegraphic communication, I think they must admit that it is only during the naval manœuvres that there is communication open day and night and on Sunday; and that during the rest of the year this communication is only open from eight in the morning till eight in the evening, and two hours on Sundays. The House will remember the case of Her Majesty's ship *Banterer* when coming from Ireland to Plymouth in a gale of wind took refuge under Lundy Island. There was consternation that no intelligence was received of her whereabouts, and two or three vessels were immediately ordered to proceed from Plymouth to her assistance. Had there been communication between Lundy Island and the mainland the Naval Authorities would have known at once where she was. I contend very strongly indeed that coast communication is of the utmost value, whether it is for the saving of life or property, whether it is for the shipping interest or the commercial interest, for naval warfare, for salvage purposes, or for the fishing industry. It also seems surprising that the warnings from the Meteorological Society's Office in London at the present time are only sent out to 166 lifeboat stations, and that there are 105 stations that never receive any warning at all. The House will ask, what do other countries do? I have referred to Denmark. Denmark has certainly set a bright example to England, and I should like to quote a letter that came before the Board of Trade Departmental Committee from Denmark, giving an exact account of what Denmark has done. Briefly speaking, it is stated that this system was commenced in 1889:—

“There are four stations for communicating with passing vessels—Hawtholm, Hortholm,

Skagen (the Scaw), Hammoren (Bornholm). But besides this, there is a great part of our lighthouses and of the saving stations (lifeboat and rocket) connected with our common telegraph system, partly with the view of calling help to ships in peril, partly for communication between fishers and their markets, and partly used in the interest of our service, giving notice of ice, so that we can wait to the last moment, sending tugboats to tug in our lightships, to tell if lightships and buoys are not at their due place, and if gas buoys do not burn well, &c., &c. . . . We have no cable connection with any lightship. On the other hand, our most isolated island lighthouses are connected with the telegraph system. . . . Where there is no telegraph station near the lifeboat or rocket stations these are generally connected with the nearest telegraph station, or with each other by telephone wires. By this means we are nearly able to follow a ship in danger of being set on shore by a storm, and the lifeboats and the rockets can be in place nearly at the moment of the running on shore. Steamers can be called to a ship that has been run on shore, and this ship can then often be taken off shore again before the sea rises and breaks it down."

Then, as regards America, America has done a great deal more than probably the House has any idea of in a certain quarter. I am now quoting from a letter addressed to the Chief Inspector of the Royal National Lifeboat Institution by the General Superintendent of the United States Life Saving Service, dated 26th May, 1890. There are 56 lighthouses connected in the Gulf of the Lower St. Lawrence. He states—

"Many notable instances of the saving of life have occurred on the coast of the United States, one of the most remarkable being at the Lewes Station, at the entrance to Delaware Bay, on 10th and 11th of September, 1889, when the keeper by summoning to his aid the crews of the two nearest stations was able to rescue, without the loss of a single life, the crews of 22 vessels, an aggregate of 194 souls. Had not the telephone been used it is likely that for the want of the early presence of the neighbouring crews many lives would have been lost. The resources of the three stations were employed to the utmost, and nearly all the hawsers, lines, and other movable gear were used up. Another advantage of the telephone is that it enables a station to warn others along the line of the approach of vessels that seem likely to go ashore in their neighbourhood. It often occurs that a vessel may be seen driving past a station and beyond the reach of its crew in a manner indicating that she is likely to strand some ten or 15 miles away. By timely warning the crews in the chain can be on the ground ready to begin operations as soon as she comes within reach, thus saving valuable time and increasing the chances of successful work."

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Then Holland has had since 1885 the whole of her lighthouses connected with the mainland by wire. At the Cape we have five lighthouses in telegraphic communication, and the Indian Government have carried out the same system. I could go, if necessary, through a number of cases of the most disastrous loss of life around the coast of the United Kingdom, in which telegraphic or telephonic communication would undoubtedly have been the means of saving a great many lives. I think it is only right to say that when the London and North-Western Railway Company were applied to by the Lifeboat Institution to allow their telegraph wires to be used on the North Coast of Wales, in the case of any vessel being seen in distress, they at once assented, stating that their stationmasters had been given orders to immediately communicate in such cases with the Lifeboat Institution, and the Board of Trade. In 1887 the Superintendent of Lloyd's gave evidence before the Board of Trade Committee to the effect that a number of their signalling stations had been the means of saving lives. The Deputy Master of the Trinity Corporation, Captain Sir Sydney Webb, gave important evidence before the sub-committee of the Lifeboat Institution. He was asked—

"Supposing a large steam vessel were in distress in a fog in the vicinity of one of your lighthouses, and the lighthouse keeper knew the lifeboat station was about a mile off, and that probably lives would be lost unless the authorities were warned, and the boat sent out in time, would your man run down one mile to the lifeboat station to warn them?"

His answer was—

"Certainly; a messenger would be sent."

He was then asked—

"If the vessel was seen to be in a sinking condition, and passing the point, and there were telegraphic or telephonic communication, there would not be any great difficulty in warning the lifeboat by this means?"

His reply was—

"No; certainly not."

The third question put to the witness was—

"And if the man were paid by the lifeboat authorities a certain amount as a reward for

giving this notice, the objection would be in great measure removed?"

His reply was—

"Certainly."

We therefore have it on the high authority of the Deputy Master of the Trinity Corporation that where a lighthouse is situated at a point likely to give intelligence with regard to a vessel in distress there is no reason why one of the hands belonging to the lighthouse should not immediately telephone to the nearest coastguard station to that effect. The House, of course, realises that at the present time the telegraphic offices around our coast are open only from eight in the morning till eight at night, and on Sunday mornings from eight till ten o'clock; and it is obvious that in order to make postal communication effective it is absolutely necessary that they should be open the entire 24 hours, every day and night of the week, as well as on Sundays. Surely it would be no hardship to have an alarm bell placed in the bedroom of the local postmaster, for it would be perhaps only once or twice in a year that he would be called upon to leave his bed and to proceed to the lifeboat or the coastguard station to see that they had notice that a vessel was in danger. The system of communication round the coast ought to be made as effective as it is in London with regard to the fire-escapes. There is no necessity for going into further details in regard to this matter, because the need for such communication is perfectly clear. Whether it would cost £50,000 or £100,000, or £200,000, should not be considered when it is a question of the preservation of life and property. If the Chancellor of the Exchequer has a deficit next year he could lay the whole blame on the cost of such a scheme, and I do not think the country would mind it. The unfortunate British sailor looks to the House of Commons to provide further means for the saving of life round our coast. He very seldom has the opportunity of recording his vote at elections, but he thinks a great deal about what is being done in Parliament for his safety when in a gale of wind he has some dangerous sand bank under his lee, or some rock-bound coast on which

he may be wrecked. I have not referred to the large number of lives that have been lost on our coast, because anyone can see the statistics for himself; but the number is very large, and I consider it is the duty of the House to do what it can to prevent such loss. I know that the fishing industry are looking forward with very great interest to what the House will do in regard to this matter. From a commercial point of view, the question is one of very great importance. Sixty-six Chambers of Commerce have passed resolutions in favour of providing such communication, and I have not heard one voice raised against it. Therefore, I trust that the House will come to a unanimous conclusion in favour of this proposal, and that we shall let the maritime population of this country, as well as that of other Powers, know that the House of Commons has come to the determination to put an end as far as possible to the awful tragedies and harrowing scenes which are too often witnessed around the coast of England. I am sure that our gallant seamen, of whom we are so proud, will be thankful to the House if it passes this Resolution. It is only fair to say that a great amount of credit is due to those gentlemen who have assisted to bring this matter before the country. I hope that hon. Members have read the stirring articles which have appeared in the *Times* newspaper from the pen of a special commissioner who went round certain parts of the coast for the purpose of obtaining information on the subject. The House will not expect me to say anything further in support of the Resolution. I will only say that I hope the House will put an end to what I must call a grave scandal, and that it will adopt the course I have proposed. I beg to move the Resolution that stands in my name.

*MR. MARJORIBANKS (Berwickshire): The speech of the hon. Member in moving his Resolution has made my task in seconding it both an easy and a difficult one. He has made it easy, because he has so ably stated his case and so admirably marshalled the facts upon which he relies, and no one is more capable of dealing with the question than he is, because of his practical knowledge with all maritime matters,

and because of his connection with that unique institution—the National Lifeboat Institution — of which I may almost say he is the leading spirit. He has made my task a difficult one, because of the thoroughness of the manner in which he has urged the claimant's necessity for the reform he advocates, and it seems to me that I should be only injuring a good cause if I were to tell a twice told tale in seconding the Resolution. The arguments in favour of the reform advocated by my hon. Friend, indisputable though I believe them to be, self-evident as they must be even to the most careless consideration, nevertheless lie within a narrow compass. I need not go into details with regard to disasters which might have been prevented or mitigated if the scheme which is now recommended had been adopted. Prompt and instant action is just as necessary to cope with the necessities for rescue of life and property from the winds and waves as it is to provide protection against fire. What would be thought of a fire brigade which was not connected with its various stations by the very latest appliances of electrical science? The Parliamentary Representatives of this great maritime nation have the right to claim from the Imperial Government a care for the life and property borne on the seas around our coasts not inferior to that required by any great city from its Municipal Governors for protection against fire. We are the greatest maritime nation in the world. We assert our Navy is, or should be, the match for any combination of foreign Navies likely to be brought against us. Our export and import trade amount to the enormous sum of £750,000,000. We lie in the track of the great sea-borne carrying trade of the North of Europe. We are also in the midst of the very best and most profitable fishing ground in the world. Day and night crowds of fishing boats go out to reap the harvest of the sea. How is it, then, that our Navy, Mercantile Marine, and fishing fleets are required to incur risks which might be materially modified by taking advantage of the appliances of modern science? Is the explanation to be found in a sublime confidence in the

Mr. Marjoribanks

"Sweet little cherub that sits up aloft
To keep watch o'er the life of poor Jack"? Or is the fact that nothing is done due to a jealous rivalry between the Admiralty, the War Department, Trinity House, and the Post Office? Or is it the Treasury which is responsible for this sordid economy? Which risks the ship for want of a "ha'porth of tar"? It is worthy of consideration that this country is behind almost every other country in the world in respect of telegraphic and telephonic communication. What is the reason for this backwardness? Is it because the telegraph and telephone systems are a great monopoly? Is it the dead hand of this great Government monopoly that has stifled our system of telephonic communication and has prevented the extension of the system all along the coasts? Nothing could be more useful for the commerce of this country and for defensive purposes than to have around our coasts a series of closely connected stations from which information could be sent from our ships inland or from the land to the sea. We possess many great advantages for carrying into effect the recommendation of the Resolution. We have a splendid system of lights; the coasts are studded with lighthouses, and we have coastguard stations girdling the land, the average distance between them being only about ten miles. We have a splendid lifeboat service, and our lifeboat men, lighthouse and coastguard men, are only too anxious to undertake any duty that may be imposed upon them; and yet for the want of a little organisation, of a little energy in availing ourselves of the discoveries of modern science, which would render all these forces highly serviceable in respect of coast communication, our position is not so good as that of many foreign countries. It is the old story of the bundle of sticks, which, separate, were weak and useless, but, bound together, were strong and unbreakable. It may be urged that our lighthouses and coastguard stations are already connected by a system of signalling. That is true. They have semaphores, rockets, guns and flags. But this system of signalling is often ineffective even under favourable circumstances, and when there are

storms or fogs it breaks down entirely. It is, in my opinion, a disgrace to this country that it should still rely on a system of signalling that was no doubt known to Hengist and Horsa when they landed on these shores. I have heard it said that, owing to the strength of currents and other causes, it would be very difficult to connect rock lighthouses with the shore by means of cables, but competent engineers are willing to undertake to surmount the difficulty, and to establish an effectual connection. Another objection which has been raised is that the expense would be very great, but the expenditure of £100,000 per annum for a few years would be sufficient for the complete achievement of the work, and the money would be well spent. The Chancellor of the Exchequer has stated that there is still remaining a surplus of 3d. in the £1 in connection with the telegraph service of the country. The money required might well be supplied from that source, and no opposition would probably be raised to it. It seems to me that the proposals in this Resolution are the very minimum of what is necessary. I hope that the Government, if they do assent to the Resolution, will put no obstacle in the way of its being carried out, so that there may be complete telephonic communication between all the coastguard stations along our coast. I also hope that the matter of electrical connection between lightships and rock lighthouses and the shore will be referred to a Commission of good engineering experts; and I have little doubt the Report of such a Commission would be in terms consonant with our wishes.

Motion made, and Question proposed,

"That, with a view to the better prevention of loss of life and property in cases of vessels in distress or shipwrecked on the Coast of the United Kingdom, and to give the earliest possible information to lifeboat authorities and rocket apparatus stations, in the opinion of this House, it is desirable that all coastguard stations on the sea coast and signal stations should be telephonically and telegraphically connected by Government, and that on those parts of the coast where such stations do not exist the post offices nearest to the lifeboat stations be telephonically or telegraphically connected; and that a Royal Commission be appointed to inquire into the desirability of connecting certain light vessels

and rock lighthouses by cable with the mainland in order to give information of vessels in distress."—(*Sir E. Birkbeck.*)

*(458.) THE POSTMASTER GENERAL (*Sir J. Fergusson, Manchester, N.E.*): My hon. Friend the Member for East Norfolk has in his speech once more stated the case, which he has several times before in various ways put before the public, for greater and more speedy means of giving notice to life-saving stations of vessels which may be in dangerous positions on our coasts. No doubt there has been, in some cases, a lamentable want of communication, and disasters have occurred which might otherwise have been prevented or lessened. Although much may be done by the connection of the coastguard stations, it is evident that accidents may occur out of sight of any possible telegraphic station, and that it will be impossible by any legislative or administrative action to do away with the dangers of the sea. But, nevertheless, a desire must be felt by all to give what assistance is possible in order to render more rare the occurrence of accidents which have filled the country with feelings of horror. It is scarcely necessary on this occasion to enter into the ancient history of this question, for the First Lord of the Treasury stated on 29th March, in answer to my hon. Friend the Member for East Norfolk, that the Government sympathised with him in his desire, and hoped that something material would be done towards carrying out the object which he had at heart. The right hon. Member for Berwickshire has stigmatised in somewhat strong language what he considers the backward position of this country in the matter, but if that be so the blame must be shared by all previous Administrations. I do not think the right hon. Gentleman had any desire to reflect on the present Government; but, at the same time, I must tell the House that more has perhaps been done during the last five years to remedy the want than during any previous Administration. A great number of coastguard stations have been connected with the telegraph; and as regards the national defences, from which point of view this question has been noticed, I may say the Admiralty

are now satisfied with the amount of communication they possess through these coastguard stations. I take up this question where the First Lord of the Treasury left it, and I think it is desirable that I should inform the House what steps have been taken since the 29th March to give effect to the Resolution of the Government which my right hon. Friend then described. Recognising the necessity of communication on the exposed part of the coast, we have, with some considerable labour, framed an estimate of the cost in respect of connecting telephonically the coastguard stations on the exposed part of the coast from the Isle of Wight to Lynmouth in North Devon. That covers a considerable part of the coast to which attention has been called in late years, and where lamentable wrecks have occurred, and includes the connection of the five outlying islands, the Scilly Islands. Approximate calculations have been made as to the expense of carrying out the work, and the amount is something over £16,000. That estimate of work will be continued all round the coast, and I do not think that the House will be surprised that the engineers of the Post Office have not been able to accomplish more during the present month. But the fact of my addressing the House on the part of the Government will show the House that the matter has got beyond the stage of contemplation, and that we are taking actual steps to carry it into execution. Of course there are coastguard stations that are less important than others. Some occupy very exposed positions where ships are liable to be stranded, and from these it is extremely necessary that speedy communication should be made to the life-saving stations. Hence Her Majesty's Government propose to proceed at once with the erection of wires in such cases. We have already put in hand the surveys of several of these works of the more pressing kind, and some of them will be immediately commenced. I may say that one point—Morthoe—which has been referred to just now on account of a lamentable wreck which occurred there not very long ago, will receive early attention: and that an extension of the telegraph to the

neighbouring post office is already being carried out. As I have said, surveys of these works are in progress, and our officers have been in personal communication with the Lifeboat Institution, with a view to select cases, which are of pressing importance. Amongst those which it has already been decided to carry out may be mentioned the following:—From Morthoe to Ilfracombe on one side, and Croyde on the other; from Hartland Quay to Clovelly on the one side, and Bude on the other; from the Lizard to Cadgwick on the one side, and to Mullion and Porthleven on the other; from Swanage to Studland Bay on the one side, and to St. Alban's Head, Bottom and Kimmeridge on the other, combined with an extension of the existing wire between St. Alban's Head and Corfe Castle to Poole, in order that the lifeboat there may be brought within call of the coastguard stations as well as the lifeboats at Swanage and Kimmeridge. The apparatus used in these four cases will be telephones. Then again, a point very much pressed is that of Beachy Head to Eastbourne and Seaford. Extension of an existing A B C circuit between Kingsbridge and Prawle, to Salcombe on the one side and to Rickham and Hall Sands on the other, is also to be mentioned. In harmony with the plan which has been discussed with the National Lifeboat Association, but independently of their views on the subject, it has also been decided to give telegraphic communication to Pennan, a village on an exposed part of the Scotch coast, midway between the lifeboat stations at Fraserburgh and Banff. A number of extensions to outlying parts of the coast are also now being carried out by the Post Office for the Admiralty, and they will doubtless prove useful for the purpose of saving life. These are only the beginnings. Of course we cannot take everything in hand. We have not only to meet the wants much felt, but I hope shortly to extend the system to other points in England and Wales. In addition, arrangements have been made with the London and North-Western Railway Company and the Lancashire and Yorkshire Railway Company in order that expeditious communication

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may be made to stations on those lines of ships in distress. A rough estimate has also been made of the cost of establishing telegraphic communication with all lighthouses and lightships, which will be a proper subject for inquiry. The cost of this part of the scheme will approach the sum of £300,000. My hon. Friend speaks of our being far behind other nations as regards electric communication with lighthouses and life-saving stations, but I do not believe that we are so far behind as is sometimes supposed. In the first place, a great many of our coastguard stations are in telegraphic communication already, and many more are situated so near the telegraph that they may be considered in connection. Of 290 lifeboat stations, 170 are now within one mile of the telegraph, and of 273 coastguard stations, 207 are similarly situated, so that it is very evident a person can in a very short time reach the telegraph station. My hon. Friend the Member for East Norfolk is, I think, in error in stating that the terrible results at a recent wreck might have been modified by coast communication, because the evidence showed that the result was not due to want of telegraphic communication. It is certainly not more than three miles from the bay in which the ship was stranded to Ilfracombe, and in fact the officer of the coastguard ran the distance between the two places in 25 minutes. While I am anxious to say nothing in depreciation of that admirable class of men who man the lifeboats, I think it is only right to say that blame was attached to the men in charge of the lifeboat on that occasion for not launching it in time to rescue the crew, instead of waiting until the tide had got into such a condition that it was impossible to do so. It is true that in the United States there are twelve places, outlying lights, in direct or indirect communication by telegraph, and 27 shore lights, but neither America nor any other nation has connected its lightships with the shore. Denmark has 14 outlying lights in connection with the shore and all its shore lights, but France has none at all—neither outlying lights nor shore lights, nor life-saving stations, though

it has signal stations, which are probably for naval or commercial purposes. I think my hon. Friend was in error, for I do not understand him, in saying that the outlying lights of Holland were connected with the telegraph, because my information is to the contrary.

SIR E. BIRKBECK: I said they had absolute coast communication throughout the whole coast.

*SIR J. FERGUSSON: My information is that neither lightships nor outlying lights are in telegraphic communication. We should not think what other nations have done. We are the greatest maritime nation, and, therefore, there is every intention on the part of the Government to meet this claim that has been made. I say that we do see the necessity of connecting all the important points which may be useful in connection with our life-saving apparatus; and I need not add anything further beyond saying that it is the intention of Her Majesty's Government to appoint a Commission to inquire into the means and feasibility of connecting outlying lights with the shore, but it is not so easy as the right hon. Gentleman supposes. Her Majesty's Government are happy to assent to the Motion, and I earnestly hope we shall be able to accomplish the object in view—namely, to prevent, as far as our power extends, the recurrence of lamentable cases in which life might have been saved had timely relief been procured.

MR. PENROSE FITZGERALD (Cambridge): Telephonic communication following the line of coast round the United Kingdom is, in the first place, what the Society of which the hon. Member for East Norfolk is the head—the National Lifeboat Society—thinks to be of most gigantic importance. But it is an entirely different subject from the question of connecting lighthouses on rocks or lightships; and as far as I read the proposal of the hon. Member, he desires to leave the second part entirely to the Commission which I understand Her Majesty's Government are about to grant. He does not tell us whether he intends to allow the first part of his Resolution to pass or not. If he does, it will not be necessary for me to say much about it.

SIR E. BIRKBECK: I do.

MR. PENROSE FITZGERALD : It is not alone the question of lifeboats—which, of course, the hon. Member for East Norfolk is most interested in—but it is also a question of which of the two means of saving life shall be used. That is a matter of great importance. From time to time the lifeboat goes afloat, when had there been telephonic communication between the nearest lighthouse or coastguard station it would have been unnecessary for the lifeboat to be launched, because it was known that the wreck, or probable wreck, was one which could only be approached by the rocket apparatus. Another reason is that in having a line of telegraphic or telephonic communication you will be able from your signal station to communicate with your rocket apparatus, which, as the House knows, is on wheels, and worked, not by the lifeboat authorities, but by the coastguard authorities. Owing to the absence of coast road it is often extremely difficult to get the apparatus to the required place, and unless the exact position of the wreck is known it is frequently necessary to make a considerable detour before the scene of the wreck is reached. The Postmaster General has alluded to the commencement which is being made by the Government to temporarily connect some of these stations; but, as a matter of fact, neither the mouth of the Thames nor that of the Mersey are included. Now, I think these are two particular places of which we should like to have information.

***SIR J. FERGUSSON :** It was only possible in the present month to accomplish the survey and estimate for the part of the coast I have mentioned; but we have resolved also to connect Beachy Head with other places immediately, and also certain places on the coast of Aberdeen.

MR. PENROSE FITZGERALD : The establishment of this communication in such places as the mouths of the Thames and Mersey would be of enormous importance, because there you have already got one class of experiment going on—the whistling buoy and the gas buoy. If the master of a vessel calculates on making one of those buoys and misses it on a foggy day the chances are the vessel goes ashore. At

the Nore and other places where there are light vessels they are in sight of many of the standing beacons and buoys of the kind mentioned, and were one of these beacons or buoys out of order the master could telegraph or telephone to the immediate port whence warning could be issued. I am extremely glad that the Government have consented to give us what we have asked for.

***COLONEL HILL (Bristol, S.) :** I am sure it is with great satisfaction that the House learns the Government accedes to the Resolution proposed by the hon. Member for East Norfolk. We know that from time to time accidents to vessels do happen, and we have the further distressing knowledge that had communication existed valuable lives would have been saved. It is, therefore, gratifying to find that the Government are endeavouring to end loss of life in that particular. I am not myself careful to discuss the question of cost. I believe that the necessity be proved the House of Commons, and the country generally, will be ready to meet that cost. Resolutions have been passed by the Chamber of Shipping of the United Kingdom, and the Association of Chambers of Commerce representing 76 centres of commerce have strenuously affirmed this want, and asked the Government to provide for it. I am pleased with the figures the Postmaster General has given, because it is evident that this most important work will not cost any enormous sum of money. As regards the question of connecting the lighthouses, I am perfectly at one with the Postmaster General that it is not necessary to connect them all, nor the whole of the lightships, but there are certain of them which should be so treated. While bowing to his superior knowledge, I am under the impression that the French lighthouse at Ushant is already in telegraphic connection with the shore. In reference to the question of connecting with the outlying lighthouses, I think it is raising a bogey to say that if we connect them with the shore the enemy in time of war will knock them down. I want to know where our Fleet is to be at that time? Even supposing the enemy could do such a thing, I think the

chief injury would be to themselves, and I venture to say that we ought not to sacrifice an actual advantage in time of peace for a problematic disadvantage in time of war. I believe the difficulties will all vanish, and rejoice to think that before long there will be perfect communication. This maritime nation has a right to demand, not only for the sailors who navigate our vessels but also for the passengers who travel by them, such conditions of safety as would be afforded by the carrying out of the proposed Resolution.

*MR. J. LOWTHER (Kent, Thanet): I should like also to add my satisfaction at the announcement which has been made by the Government. I conclude that the inquiry to which the Government has assented will embrace the entire subject. The Motion appears to propose different treatment of the two branches of the subject. In the first part it is proposed to request the immediate carrying out of certain work, and that the subsequently appointed Royal Commission shall go further into the matter. I believe the hon. Member for Brighton (Mr. Loder)—who unfortunately, through circumstances he cannot control, is not able to be present—had an Amendment on the Paper which is to a considerable extent embodied in the amended Motion of my hon. Friend the Member for East Norfolk. My hon. Friend the Member for Bristol has referred to what he calls the bogey of a possible danger to this country in time of war if we connect our lightstations and lightships with the shore, and I must own that I was surprised to notice some remarks recently made by the President of the Board of Trade which gave encouragement to a theory which his colleague in the representation of Bristol very aptly describes as a bogey; for it is obvious that if an enemy arrived at the conclusion that it was to its interest and was within its power to injure this country by destroying lighthouses or lightships, it would carry out that policy without regard to the incident of telegraphic or telephonic communication being in existence or otherwise. In a matter of this sort we are bound to have some regard for the public purse, but the figures mentioned

show that the amount required even at an extravagant estimate is relatively of so paltry a character that I do not think my right hon. Friend the Chancellor of the Exchequer—who, I hope, will shortly be back amongst us in restored health—would give even a passing thought to such a trumpery item in the preparation of his Budget next year. My right hon. Friend the Postmaster General stated that the entire cost at the highest estimate would be £300,000, and that the annual sum required to keep the system in working order would be extremely small.

*SIR J. FERGUSSON: I do not think that was stated from this Bench. I believe it came from the right hon. Gentleman opposite.

*MR. JAMES LOWTHER: Well, I understood the right hon. Gentleman to say £300,000, and in fact he first said £300,000 per annum, but corrected himself to stating that it would be a capital sum of that amount, and I trust the Chancellor of the Exchequer will next year make his Budget in accordance with the suggestion. As to the practical effect of an arrangement of this kind, it must be well known to the House that while in certain instances loss of life would occur under any conditions, still there are cases in which life and property would in all human probability be saved if a better system of communication were established. I feel sure there will be a feeling of great satisfaction at the Government having willingly consented to take so strong a step in this direction, not only by, as I understand, proceeding with the inquiry with all possible dispatch, but also by taking the important step referred to by the right hon. Gentleman without waiting for the inquiry.

(5.35.) LORD H. BRUCE (Wilts, Chippenham): Although I have never minimised the value of our lighthouses, I think there are other provisions that should be made for the safety of sailors of perhaps equal importance. For want of harbours of refuge, for instance, many poor fellows have been drowned. More than 700 men and boys die yearly within sight of our shores, and yet the Royal Commission on Harbours of Refuge of 1858 and 1859 has been ignored. As to the

lighthouses on our coast, I would point out to the House that there is no lighthouse from Beachey Head to the Isle of Wight, a distance of 57 miles. There is a lightship, but that light is only visible ten miles, and, therefore, if you pass the Isle of Wight ten miles off you do not see it. On the French coast there is a lighthouse nearly every 20 miles, and I want to know if they can do that why we cannot do the same in England? Now, Sir, I will just refer to the harbour of refuge called Dover Harbour, and which, I maintain, is no good to our sailors in a gale of wind. The entrance will be only 300 feet wide, although 600 odd acres are to be enclosed. How on earth can a sailing ship get in there during a gale of wind, with a tremendous current running at the rate of three miles an hour? If the harbour had been constructed at Dungeness some good might have been done, and at less cost. But, Sir, with regard to these harbours of refuge generally, there was a Royal Commission appointed—

MR. SPEAKER: Order, order! I do not want to interrupt the noble Lord, but harbours of refuge are outside the scope of the present Motion.

LORD H. BRUCE: Well, Sir, all I can say is this, that although we have some powerful lighthouses, our coast is very deficient in that respect, and I hope the Resolution before the House will be passed, and that everything possible will be done to save life at sea. So far that has not been done, inasmuch as the proposals of the Royal Commission of 1858 and 1859 have not been carried out.

Motion agreed to.

ORDERS OF THE DAY.

PLACES OF WORSHIP (SITES) BILL. (No. 135.)

SECOND READING.

Order for Second Reading read.

*MR. JOHN ELLIS (Nottingham, Rushcliffe): The Bill of which I now beg to move the Second Reading was originally brought forward by my hon. Friend the Member for West Notting-

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ham (Mr. Broadhurst) in the years 1884 and 1885. When he became a Member of Her Majesty's Government in 1886, he asked me to take charge of it, and I did so. During that year it was read a second time without a division, and in the year 1887 a division took place upon it, when it was lost by a comparatively small majority. The Bill consists of eleven clauses and one schedule, but as will be seen by any one who looks at it, the gist of its provisions lies in some five or six clauses—from the fourth down to the eighth or ninth. The Bill contains a clause for the acquisition of sites for places of religious worship otherwise than by consent. That is compulsory acquisition of land for this purpose. By Clause 5 a requisition in writing must be served containing certain particulars, and on the receipt of that requisition, after a certain time has elapsed, a memorial is to be presented to the Council which is the authority in the place—either the County Council or the Town Council, as the case may be. And by Clause 7 the Council to which the memorial is presented shall appoint a time for the hearing of it, and certain consequences ensue. If the order be made, within six months of that time the site is to be conveyed. Provision is made for the payment of a sum to show the *bona fides* of the applicants, and that has to be placed in the hands of the Council. The last two or three clauses are more or less formal, and deal with matters of title. The Schedule contains the form of requisition, which must be signed by a number of persons of whose *status* and *bona fides* there can be no question. The Bill is comparatively brief, and as it has been more than once a matter of discussion here before, it is not necessary for me to dwell long upon it. I venture to think it contains all the provisions and safeguards which are necessary to provide against any wrong being done to a single individual. Of course, Mr. Speaker, it will be perfectly possible when the Bill gets into Committee to amend any particular provisions. But the principle now before the House is a very simple one, and the

question I ask the House to determine on this Motion for the Second Reading is whether members of a religious denomination other than the Church of England, as by law established, shall have the same power of compulsorily obtaining land for places of worship as that particular Body has. I hope I may appeal to every hon. Member in this House, whichever side he sits on, in a matter of this kind. As I view it, it is a matter of simple justice that every religious denomination should have the same power in this matter as the one particular denomination to which I have alluded. I notice that the hon. Member for Wigan has, since the introduction of this Bill, introduced a Bill taking away from the Church of England the power they now have of compulsorily acquiring land. When that was introduced in another place three or four years ago it did not meet with much respect. And I think it is much better to impartially extend this power to all other denominations than to take it away from the particular Church which now enjoys it. The principle underlying this Bill is contained in the word of which we have heard so much at various times during the discussion of another Bill—namely, compulsion. I believe the mere fact that there is compulsion in an Act of Parliament will be its own remedy. I remember very well, many years ago, going to the then agent of a great nobleman in the Midland Counties, who was almost the sole owner of all the eligible plots of land in a country village, for the purpose of acquiring a site for the School Board of which I was then chairman. He listened to my request, and after I had pointed out the particular site I wanted, he intimated that the nobleman in question would not be able to consent to any such use of the land. His view of the School Board was that it was not needed, and therefore he opposed it. Well, I listened to all he had to say, and then I pointed out to him the powers of compulsion in the Act of 1870. This settled the matter, and we got the piece of land, and that is what I think would happen if we had such an Act of Parliament as this. I hope I do not take too sanguine a view when I express the hope

that Her Majesty's Government will see their way not to oppose this Bill. I believe that during my absence on a particular Wednesday the First Lord of the Treasury alluded to this Bill, and said that it might well go to a Committee. If he said so I gather that he really does not oppose the principle of the Bill, and that he would be prepared to send it to a Committee, with the view to its details being discussed and possibly amended. The object of this Bill, Mr. Speaker, is to afford persons, otherwise unable, the opportunity of securing for themselves an eligible place in which to worship in the way their conscience approves. I am not going into particular incidents that I could give of people being unable to obtain suitable sites for places of worship up and down the country. I do not wish to do anything on the present occasion to arouse any feelings or create any hostility against this person or the other. I rest my case on the broad ground of justice, that what is right for the Church of England to possess—in this case the power of compulsorily acquiring land—is right for every other religious denomination in the country to have. I do not think I need add any more to the brief explanation of the Bill I have given, and I will therefore move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. John Ellis.*)

*(5.50.) MR. KELLY (Camberwell, N.): I have read this Bill through, and I must say that it seems to me of great importance to know what the Body is which is to carry out its provisions. The Bill is supposed to be founded upon two Acts, one passed in 1873 and the other in 1882. Now, if any hon. Member refers to the Act of 1873 he will find that there is nothing at all compulsory in its character. Its object was simply to empower landlords having limited interests to convey land as sites for places of worship. As to the amending Act of 1882, that was passed simply for the purpose of removing doubt as to whether conveyances could be made by Corporations and other Public Bodies. What I desire

is that the body which is to have the compulsory power should be defined. But I do not oppose the Second Reading of the Bill on this account. I have always, I trust, dealt with questions of this kind in anything but a narrow spirit, and if I were convinced that any real difficulty was now experienced in obtaining proper sites for places of worship, I certainly should not oppose this Bill in any way. We have had charges made over and over again—we see them in the papers sometimes—against illiberal landlords, and we hear of the impossibility of acquiring sites for Nonconformist places of worship, but I have always found these charges are vague, and that when they come to be examined they fall to the ground. The hon. Member instead of saying he would not give the cases of difficulty in obtaining sites should have taken care to have done so. If it be necessary to force people to part with their land, well and good, but it must be under some rational and defined system. I do not know what the Council referred to in the Bill for carrying out its purposes is to be. It may be of a character that would not recommend itself to many Members of this House.

MR. JOHN ELLIS: It says either the County Council or the Town Council.

MR. KELLY: I beg the hon. Member's pardon. I have looked through the Bill and I am afraid I missed the clause altogether. However, I do not know why this power should be given to such a body. If, as the hon. Member supposes, the County Councils in the different counties would be inclined to give any site which Nonconformists may claim, then I venture to ask the House to consider whether a measure of this character should be agreed to unless some very good reason is shown for it. The hon. Member did not show any reason, but, on the other hand, he carefully avoided doing so. I believe myself that this Bill is out of date altogether. There may have been, and possibly was, a time when certain landlords did place unfair difficulties in the

way of Nonconformists when they wished to obtain sites for their places of worship. I question very much, however, whether such people exist now. As far as my knowledge goes, I can safely say I have never heard of any well-founded complaints on the part of Nonconformists that they were unable to acquire sites with the same ease as members of the Church of England. I ask the House to reject the Bill because it is utterly unnecessary, and also because it casts an unfair slur upon the landowners of England. I beg, therefore, to move that the Bill be read a second time this day six months.

*(5.58.) MR. F. S. POWELL (Wigan): I wish to second the Motion of the hon. Member who has just sat down. So far as I am aware this Bill is entirely without precedent. There have been enactments passed from time to time enabling a Local Authority, or a public company, to acquire land or property belonging to others when the object has been to benefit the entire community or a whole neighbourhood. The Bill now before the House, however, is to give power to acquire the property of another person for the benefit of, not the entire community, but a certain sect of individuals. I hope the House will pause before granting anything of the kind. As regards the necessity of the Bill, I am not aware that members of the various religious bodies have any difficulty in acquiring sites for places of worship. The number of such buildings proves that there can have been no difficulty in acquiring sites. I assert that there is no necessity for this Bill; but even if there were, you are going beyond the principles already established. I think there is no more melancholy sight in the country districts than the places of worship which have fallen into disrepair, when the necessity or demand for them has ceased. I see no provision for such a misfortune in this Bill, and I consider it is a misfortune that any landowner, large or small, should have his property disfigured by dilapidated buildings of this kind. The Act of

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1873 provides for such cases; and I think, when an entirely novel proposal of this kind is made, there should be at least the same facilities to meet this contingency as have been given in former measures. Some Members of the House are disposed to make sport of the fact that there are a very large number of different denominations; but I am not one of those. I regret that religion should cause men to separate into so many bodies, and believe it would be highly advantageous to the cause of religion if the number of denominations were smaller. But I think it will be admitted that all denominations are not entitled to the same consideration. I presume the Mormons would claim to be considered a religious body; but it would be a strong measure for any hon. Member to bring in a Bill to enable members of the Mormon denomination to acquire sites compulsorily, and to establish themselves on a firm footing to disseminate their most pernicious doctrines. The County Council is to determine whether there is any just demand, and to have regard to all the circumstances of the case. Surely that is a large and comprehensive demand. They have to settle whether or not a site is required by a denomination, and I believe no County Council can fairly judge a question of that kind. The promoters themselves may know whether it is required or not, or they may be ambitious beyond the requirements of the neighbourhood; but it is impossible that a County Council can act with any certainty in a matter of this kind. Nothing is more uncertain than the success of a new place of worship. Sometimes a place which is started under the most favourable auspices goes to decay, and in another case you find that out of a small beginning a magnificent structure will spring up. A further question is whether any undue injury will be caused to the property which is to be acquired, and this is a problem which is most difficult of solution. What injury is due and what is undue is a question which is not easily decided; and I think, in asking a County Council to decide questions of this kind, you would be putting upon that body a power with

which it was never contemplated that they should be entrusted. They have not the judicial power of summoning witnesses and putting them on oath. These are some of the difficulties which have occurred to me in considering this measure; but I regret that I have laid them before the House in a somewhat imperfect manner, as I was taken by surprise that this Bill should have been reached so soon. My great objection to this Bill is the introduction of the principle of compulsory purchase, not for the benefit of the entire community, but for one section of the community only. This is, I believe, an entirely new principle. I regard it as a mischievous principle, and I hope the House will not sanction it by agreeing to the Second Reading of this Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Kelly.*)

Question proposed, "That the word 'now' stand part of the Question."

(6.9.) THE FIRST LORD OF THE TREASURY (*Mr. A. J. BALFOUR, Manchester, E.*): I have listened to the observations with which the hon. Gentleman who proposed this Bill introduced it to the notice of the House. I admit that he gave a very clear though very brief explanation of the measure; but what he failed to do was to lay any facts before the House indicating the necessity for passing such a Bill at all.

MR. JOHN ELLIS: That has already been done in this Parliament.

MR. A. J. BALFOUR: I am not aware whether that is so or not; but the fact that a Bill has been debated on a previous occasion does not absolve us, when a measure is brought forward, from explaining and justifying the proposals that we make to the House. So far as I am concerned, if a necessity were shown for compulsory powers under proper safeguards for the purpose of acquiring sites for religious denominations who are otherwise unable to obtain them, I should not offer any

opposition to a proposal of that sort. The proposals really are two. One is that a large number of religious bodies desire to obtain land for the purpose of erecting buildings in which they can conduct services agreeable to their own consciences, and the hon. Gentleman (Mr. John Ellis) also proposes that where they are unable to obtain these sites they should have compulsory powers given to them. If it were shown that religious bodies desired to obtain such sites and could not obtain them, and that such a desire existed on a large scale, I should be glad to see any well-considered proposal for relieving them of that disability. But the hon. Member, I think, must be aware, and would agree with us, that compulsion ought not to be gratuitously introduced into any Bill unless the necessity for that compulsion existed; and if it were introduced it should be provided for in such a manner that the rights of any individual concerned, especially of those individuals from whom land is compulsorily obtained, shall be amply safeguarded. The hon. Gentleman appears to me to have satisfied neither of those two conditions. He has not given us any indication that any pressing necessity exists, and he certainly has not shown either that the rights of individuals are safeguarded, or that the machinery by which he proposes to carry out the objects of the Bill is really the kind of machinery to the institution of which the House of Commons ought to consent. For what is the machinery proposed? The machinery is not a judicial body which shall inquire the fair price of land and give a decision on the subject. It is not a jury or a properly constituted Court, before which evidence could be taken on oath, and bound to look at the matters which come before it from a judicial point of view. But, as far as I understand the machinery which the hon. Member proposes, it consists of the County Council of the county in which the site is desired; and, with all respect to the hon. Member, a body less fitted to carry out judicial functions it would be hard to conceive. By hypothesis, however, this Bill is only required where the landowner refuses to sell

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land for the site of a place of worship either from religious prejudice or other causes connected with unfortunate religious differences which prevail in parts of the country, and where the Nonconformist Body could not obtain the site they desired to obtain. If, therefore, the matter is one of acute controversy in the district, how can you go to the County Council elected by the ratepayers and expect a judicial decision? The County Council might have a strong religious bias adverse to the particular sect which desires and ought to have the site. That is possible; it is, perhaps, even in some cases probable, and in that case how can the County Council, elected on Party lines, animated possibly by Party feeling, possibly influenced by strong religious prejudice, calmly and impartially decide a question as to whether a site is required, and a question as to what are the rights of the parties in the matter? The County Council in some cases might defeat the object which the hon. Member has in view. We can suppose a County Council animated by the exactly opposite view, by strong antagonism to the landlord who has refused a site, who would use the enormous powers given by this Bill, not merely for the purpose of supplying the want which exists, but for the purpose of annoying some particular owner of property. Moreover, the hon. Gentleman has suggested that a County Council, a body consisting of 70 or 100 members, shall sit and take evidence on oath, and look into all the details connected with the purchase of some site, and the religious necessities of some denomination. Is it possible that you can turn a body of 50 or 100 gentlemen into a tribunal for taking evidence on oath, and deciding matters of this kind? The hon. Member (Mr. John Ellis) will, therefore, I think, see that the machinery he has devised cannot possibly carry out his objects, or even be so altered in Committee as to be made to carry them out. The machinery he proposes is fundamentally bad, and for that reason I think he will feel that the Bill in its present shape cannot possibly receive the assent of the House. I will go a step

further. As I said in my opening sentences, this House, before it gives compulsory powers for the acquisition of property, has always hitherto taken the most ample safeguards for protecting the rights of the individuals from whom property is thus compulsorily taken. What safeguard does the hon. Gentleman lay down? From such study, which I must admit has been rather hasty, as I have been able to give to this Bill, I can find not a single word about price or value, or ascertaining the price or ascertaining the value, or of compensation to the owner of the property from the first clause of the Bill to the last—from its first line to the end of the Schedule. I presume, though the hon. Gentleman has not touched upon that subject in his Bill, that the County Council of 50, 100, or 150 gentlemen who are to take evidence on oath and hear all the case for the applicants and the owner of property are to decide by a Party vote, or by a vote which may be a Party vote, as to how much money is to be given for the land thus compulsorily taken from the property owner. I think he will see that to charge a County Council with the determining of the amount of money or compensation to be given in such cases is to give them a power which they are totally unfit to exercise, and which may lead to the gravest abuses and the gravest unfairness.

MR. JOHN ELLIS: Will the right hon. Gentleman allow me to ask him whether the County Councils have not *quasi-judicial* powers?

MR. A. J. BALFOUR: I think the hon. Member will be extremely puzzled to find any case in which a County Council, acting as a body, have judicial power at all, and certainly not judicial power of the kind that is given to them in this case. I will guarantee that the hon. Gentleman will not find a precedent for such an extraordinary and abnormal power given to any public body as that of settling whether land shall be bought compulsorily, and then deciding what price is to be given for that land. I do

not believe that this Bill, as it stands, would work at all. I am sure it would work badly, but I think it would not work at all. Under the existing process County Councils cannot administer an oath; and I apprehend that the words in the 7th section of this Bill which says that they may take such evidence in such manner as they think fit, upon oath or otherwise—I apprehend that those words casually introduced would not place County Councils in the entirely novel position of being able in their corporate capacity to administer an oath to a witness. Therefore it appears to me that this Bill errs in almost every respect in which a Bill of this kind can err. The necessity for it has not been proved. The particular machinery by which it is proposed to carry it out is unworkable machinery; and even if it were a machinery that could be worked, there is no protection that it would be worked with justice or equity to the owners of the land taken. There is every reason for believing that it would be used either against the Nonconformists or against the owners of property according to the prejudices, passions, or political or religious views of the County Council, or according to the views which might sway or incline the majority of the members of that body. If, however, the hon. Gentleman thinks that a case can be made out for a compulsory Bill, I hardly think he will endeavour to carry this compulsory Bill, and I shall be prepared to have the matter investigated by a Committee of this House, and to put before that Committee both the proposal of the hon. Gentleman and a Bill introduced, I think, by some Gentleman on this side of the House, for depriving the Church of England of the power in this respect which it at present possesses, but which it has not so far found necessary to exercise. The question is one which deserves consideration, but it cannot possibly be settled by the Bill which is now before the House. I am quite prepared to admit that if a case can be made out, if it can be shown that the Nonconformist Body as a whole desire sites and cannot obtain them; that they are deprived of the power of

carrying out their own religious worship in their own way by the difficulty of obtaining land on which to erect places of worship—if that can be shown, and if some method can be contrived of carrying out that object with equity both to the Nonconformists and to the owners of property, I should be very glad to accept it. But I think that this Bill in its present shape cannot be passed, and I would suggest to the hon. Member that he should give his adhesion to the proposal I have made.

(6.22.) MR. OSBORNE MORGAN (Denbighshire, E.): The hon. Member for Wigan has described this as a novel proposal, but I would remind the hon. Gentleman that 22 years ago, before he came into the House, I brought forward a Bill on all-fours, as far as principle is concerned, with this Bill, and that was read a second time without opposition. The right hon. Gentleman (Mr. Balfour), in all fairness, I admit, objected to this Bill on two grounds—first, that no case had been made out for compulsion, by which I suppose he meant that no case was quoted in which landlords had been asked to sell land for the purpose of erecting places of worship, but had refused.

MR. A. J. BALFOUR: No actual case has been quoted.

MR. OSBORNE MORGAN: That may be so. The second objection was to the machinery. I will try to deal with these objections. I confess this Bill has come upon me by surprise. I had not the least idea that it would be reached so early, and I am sorry that there is not a single Member from Wales present beside myself, or they could have given the right hon. Gentleman cases, especially from Wales, where the land belongs in the main to two or three great landowners, in which land had been required for sites for chapels, and had been refused by the landlords. I am not prepared now to quote cases, but they have been mentioned to this House, and cases could be quoted to this House which would abundantly prove the necessity for some Bill of this kind. The second objection was to the machinery. The only other machinery

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which could possibly be provided for carrying out such a measure as this is the Lands Clauses Act; but that is a matter of the greatest possible expense, and thoroughly unfitted for a purpose of this kind. In the Bill I brought forward 22 years ago I did avail myself of the machinery of the Lands Clauses Act; but it was pointed out in the debate that that machinery was wholly unsuitable in small cases where economy was desirable. I am sorry the right hon. Gentleman has formed such a low opinion of the County Councils, which, after all, are the creation of his own Government.

MR. A. J. BALFOUR: As judicial authorities.

MR. OSBORNE MORGAN: He seems to doubt whether it would be possible for a County Council elected by popular representation to deal fairly between the landowners and the ratepayers. I entertain a better opinion of the County Councils than the right hon. Gentleman. The rest of his objections were really purely matters of detail. The right hon. Gentleman cannot have carefully read Clause 7, which distinctly gives the power, by implication at all events, to take evidence upon oath or otherwise. But if there is any doubt as to those words being sufficient, I am certain that my hon. Friend who has charge of this Bill would not for a moment hesitate to introduce words which would make the clause properly effective. Then, with respect to a further objection, it seems to me to be quite impossible that you can have words more carefully guarding the rights and interests of landowners; but if you want more words by all means let them be inserted. But these questions are, after all, purely questions of detail, and therefore questions which ought not to be raised on the Second Reading of a Bill, but should be raised in Committee. The hon. Member for Wigan talked about the danger of the Mormons coming to England and the scandal which would be caused if a section of the Mormons were to insist on a compulsory site. That is an argument which has done duty over and over again, and I think was last heard from the lips of the hon. Member himself

in the Debate on the Burials Bill. Surely it is merely trifling with a subject like this. I know that the matter is one about which there is a deep feeling in my own constituency and in my own Principality, and, after all, you must bear in mind that the Bill is founded upon a demand for equality. We are merely asking for the Nonconformist denominations the right which the Church of England, whether it chose to exercise it or not, has under an Act more than 60 years old. It seems to me that to grant a thing to the Church of England and to withhold it from the Nonconformists is, to say the least, invidious. If the whole matter is to be inquired into, I trust my hon. Friend will agree to the suggestion of the First Lord of the Treasury; but I would suggest that the Second Reading be pushed to a Division, if only for the purpose of showing that the House of Commons of 1892 is not less liberal than the House of Commons of 1870.

*(6.30.) MR. LAWSON (St. Pancras, W.): I cannot allow the statement of the First Lord of the Treasury with respect to the machinery of the Bill to pass unchallenged. His objections do not go to the root of the Bill, but apply solely to the machinery by which my hon. Friend proposes to carry out the principle. As to the judicial functions of the County Council, the right hon. Gentleman was himself a Member of the Government which endowed all County Councils with judicial functions, and they are now called upon to decide judicially in cases of licensing, and, more than that, the London County Council has decided judicially between Local Bodies and individual citizens. I sat upon a committee of that Council to decide between the Vestry of Paddington and an individual ratepayer, who thought the Vestry was wrong in asking him to make some sanitary improvements in his property. The Committee decided against the ratepayer, who was consequently put to some expense. All these judicial or quasi-judicial powers are now in daily exercise by County Councils. The hon. Gentleman says no evidence has been brought forward to

justify the demand. The case has not, perhaps, been prepared with very great care, but evidence was given before the Town Holdings Committee and in the Debates on the Enfranchisement of Places of Worship Bill.

MR. KELLY: The hon. Member for Denbighshire referred to some evidence in that Debate, and I challenged him to give a name, but he did not do so.

*MR. LAWSON: There was evidence by Welsh witnesses that they could not get sites, and some of the witnesses from rural districts and Wales went so far as to give reasons for a Bill of this character, although outside the scope of the Committee's inquiry. My hon. Friend asks for nothing more than to bring the whole case and law into a logical form. Under the Act of 1818 Commissioners acting for the Church of England can obtain land for a new site or for the enlargement of a church compulsorily; and my hon. Friend asks that the same power may be given to other religious bodies, and that they may be placed on a footing of equality. The hon. Gentleman the Member for Wigan (Mr. F. S. Powell) proposes to repeal the powers in the case of the Church of England, not because that Church is unworthy to possess them, but because other bodies think they should receive equality of treatment. I think the First Lord of the Treasury would be acting more fairly if he allowed the Second Reading to pass, and then referred the Bill to a Select Committee, and I do not see why the Bill of the hon. Member for Wigan should not go to the same Committee.

(6.35.) MR. T. W. RUSSELL (Tyrone, S.): I rise to ask whether the First Lord of the Treasury proposes to read these two Bills a second time and send them both to a Select Committee, or whether he intends to oppose both Bills and refer the question to a Select Committee? If the former is the position he takes up, it would be satisfactory to many Members on this side; but I do not see that there would be much gain in adopting the other course.

MR. A. J. BALFOUR: The hon. Gentleman has asked which of two possible courses I recommend the

House to adopt. It is, perhaps, my fault that I did not make myself sufficiently clear. I do not believe this is a possible Bill, but I have no objection to the principle if the necessity for it can be shown before a Select Committee. Under these circumstances, I see no reason to object to the Second Reading, it being distinctly understood that we take that view, and that the whole question be threshed out before a Select Committee.

(6.38.) MR. TOMLINSON (Preston): I hope it is understood that the whole question is open; that the whole question is to go before the Select Committee. I do not think that hon. Members quite realise that the Act of 1818 has only been acted upon once, and one of the grounds urged for repealing it is that there is now no religious feeling in this country which will prevent the acquisition of sites without compulsory powers. The theory of hon. Members opposite is that the whole country is divided up amongst large landowners; but even if that be so, there may be small occupiers who may be affected by this Bill, and I do not see any provision for compensating them as distinct from the owner. The right hon. Member for East Denbighshire (Mr. Osborne Morgan) contended that the procedure under the Lands Clauses Act would not be applicable, as it was so expensive. I would ask him to consider the nature of the inquiry to be held by the County Council as proposed here, and he will find that that would not be inexpensive. I should like to know what the position of a small owner would be. It might be that the animosity of two local religious bodies might go so far that one might feel pleasure in bringing the property of a member of the other body before the County Council. There is also nothing in the Bill which requires those persons who acquire sites to use them for religious purposes; it might be used for the erection of houses or anything else. I think it would be a distinct advantage to get these matters investigated before a Select Committee.

(6.42.) S^R W. HARCOURT (Derby): After what the First Lord of the Treasury has said, there seems to
Mr. A. J. Balfour

be little occasion for further discussion. But I confess it does seem to me an odd sort of arrangement to refer to the same Committee another Bill which proposes to take away from another denomination the power this Bill proposes to give to Nonconformists. It brings back to my recollection an incident of some years ago when a similar Bill was before the House, when I ventured to point out that the Church of England possessed this power. That was violently denied by the whole of the clergy of the Church of England. I was denounced with bell, book, and candle by a right rev. Prelate, who said I had invented a Statute for the purpose of attacking the Church of England. I ventured to refer him to the Statute Book, but I do not think he had the grace to apologise. The Church seems to have become aware of this power, and wants to get rid of it. But the Church of England is not in the same difficulty in getting sites from landowners as are the Nonconformist Bodies, and it is ridiculous to say that one rule should apply to both—in Wales, for instance. To say there is no grievance is contrary to my experience and the testimony I have heard. I have often heard the question discussed; and though the right hon. Gentleman does not seem to be aware of the instances which have occurred, I have seen them over and over again. If the question goes before a Committee I hope it will end by giving all denominations power to acquire compulsorily sites for their places of religious worship, and that it will not be urged that the Church of England will give up its power if you will continue the disability of the Nonconformists. I hope the Bill will go to a Committee with the view not of narrowing its limits, but rather of enlarging them.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a second time.

MR. F. S. POWELL (Wigan): I presume my Bill will be referred to the same Committee.

MR. SPEAKER: Not now.

Bill committed to a Select Committee.

DIVORCE BILL—(No. 123.)

SECOND READING.

Order for Second Reading read.

(6.45.) MR. HUNTER (Aberdeen, N.): I beg leave to move the Second Reading of this Bill. Since 1858 there has been no legislation in this House on the subject of divorce in England and Scotland; and though I agree that frequent legislation on the subject would be highly objectionable, I think after so long a period it is not unreasonable that the opinion of the House should be taken upon this somewhat narrow but important point. The Bill provides for the assimilation of the English and Scotch law on two points. The law in Scotland has been unchanged since the Reformation. It may be said that the law of Scotland is not absolutely defensible on logical grounds, because it provides the relief of divorce in certain cases and not in others where equally strong reasons might be urged, but it is a settlement which has stood the test of 300 years. I think it is desirable on the question of divorce the law of two peoples, who frequently intermarry, should, if possible, be the same. By the law of Scotland, desertion, in the strict legal sense, for four years is a ground for divorce, whether the husband or wife be deserted. The other provision of the Bill deals with the question of immorality. The matter was argued at great length on the passing of the Divorce Act, and it was decided finally that the husband should get a divorce for adultery only on the part of the wife, but that the wife should only get a judicial separation for adultery only on the part of the husband. The Scotch law puts both sexes on an equality in this matter. In 1857 the hon. Member for Midlothian, who opposed the Divorce Bill, defended the principle of absolute equality for both sexes on this point. The Bill will no doubt be attacked by those who object to all divorce, but they are a small body; and as the principle has been adopted by the English law, it ought to be applied with fairness and equality

between the two sexes, and that equality is desirable in the highest interests of morality. And it will be attacked with more force, perhaps, by those who say you cannot stop at those two points. No doubt, if we were discussing the question *de novo*, there are other grounds, such as habitual drunkenness, imprisonment for a long period for serious offence, and insanity, on which it might be urged divorce should be granted. The ground for my particular proposal is that it has stood the test of 300 years, and no expansion of the law has apparently been desired. The House is in possession of two interesting Returns, one obtained by the right hon. Member for Midlothian showing the precise number of divorces in England since the Act of 1857, and the other obtained by myself, giving the corresponding figures for Scotland. The Returns show that, although the Scotch law is so much wider than the English law, the percentage of divorces to population in both countries was almost absolutely identical. We may, therefore, draw the conclusion that the Scotch law is not only sound in principle and just as between the sexes, but that in practice it does not lead to a great multiplicity of divorces. In justice to those who suffer under the inequalities of the English law, it is only just that relief should be provided, at least, so far as the Scotch law goes. I will not occupy the time of the House in giving the numerous cases of hardship which have been brought to my notice, but will simply move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. Hunter.)

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(6.55.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I listened with interest to the speech of my hon. and learned Friend, and I confess I am not surprised that he has not been able to suggest to the House any other reasons for a relaxation—if I may use the term—of the conditions under which divorce is to be

obtained in this country. He has told us that the Scotch law differs from the English law in this respect. I cannot speak from experience of the Scotch law, but I am extremely doubtful whether or not there are any large number of divorces for the causes which come under this Bill. I have had some little experience in the Divorce Court in this country, and from that and from the information brought to my notice since I have been in office, whatever may be the opinion with regard to the work of the Divorce Court, I should hesitate, and I respectfully and strongly advise the House to be very slow, to render more easy the means of getting dissolution of marriage. My distinct belief is—and I say it with extreme regret—that the number of collusive divorces which come before the Court, and which do not reach the Queen's Proctor, is very large. The information on this point coming before me as Attorney General has surprised and shocked me. Now, there are three changes proposed in the Bill. The first is, that the wife should be able to obtain dissolution of marriage, as distinct from judicial separation, on the ground of the husband's adultery alone; the second, that she should be able to obtain a divorce for four years' desertion; and the third, that the husband should be able to obtain a divorce for a similar desertion by the wife. My hon. and learned Friend proposes that four years' desertion without reasonable excuse should entitle the wife to dissolution of marriage. Let us consider, from the point of view I have put to the House, what the objection to that would be. We know very well that under the circumstances of many cases desertion is a very great hardship, and is most cruel; and in cases where the husband has himself been guilty of adultery, it is a ground for divorce. But my hon. and learned Friend proposes that simple desertion for four years should be sufficient. I wish he could have given us a little more information on

there have been under the Scotch law during the last ten years. That is information that would have been valuable—mere general observations do not carry the case any further. But we must look at this matter from a practical point of view. Take the case, which I would remind the House in my opinion occurs very frequently, of persons being only too willing to separate from one another, and to break the marriage tie if they can do so without any unnecessary stain on their character; or the case of a husband whose business constantly takes him away; or cases might arise in which what after all is only separation by consent might be turned into desertion without reasonable excuse. I cannot imagine any test less likely to limit the operations of the Divorce Court than that such a short period of desertion, and that the circumstances of desertion only should be sufficient to obtain a dissolution of the marriage. In some cases it has been said that judicial separation is scarcely an advantage; but, on the other hand, a large number of persons agree to live separately by separation deed rather than go into the Divorce Court at all. What I have said with regard to a petition for dissolution of marriage against a husband on the ground of desertion obviously applies with very considerable force—I may almost say with increased force—in the case of so-called desertion by a wife. Incompatibility of temper and living away from one another would, in many cases, be turned into desertion by a wife; and I doubt whether desertion would apply in the case of a wife in the same way as it applies in the case of a husband. With regard to the other ground which is to be sufficient to justify the Court in decreeing a dissolution of marriage, I confess, apart from the proceedings in the Divorce Court, and apart from what may be called the legal proceedings of divorce, I sympathise, to a great extent, with the argument of my hon. and learned Friend. Everyone, I imagine, can conceive persons,

can conceive persons holding the view that the punishment, if it is to be called punishment, in the case of the husband's adultery ought to be as great as in the case of the wife's adultery; but, unwilling as I am to use an argument in this House or outside this House to lower the standard of morality in one case or the other, I think it is not possible, as experience in the Divorce Court shows, to treat or argue the case on what may be called purely moral or philosophic grounds. We must look at the matter practically, and I have not the slightest doubt that immorality on the part of the husband is not regarded as so serious an offence as immorality on the part of the wife. There are reasons why, from a practical point of view, I think it is not an unfair thing to say, human nature being what it is, that the wife cannot ordinarily be subjected, and is not ordinarily subjected, to the same temptation as the husband is, if there is any liability to failure in the case of one or the other; and when dealing with this question, and considering the grounds upon which persons are justified in obtaining a dissolution of the marriage contract, we cannot shut our eyes to the views taken by high-minded people from a practical standpoint. But, as I have said, regarding the matter from an abstract point of view of right and wrong, or on moral or religious grounds, I admit there is a great deal to be said for the view that the punishment of the offence should be as great in the one case as in the other. I am not sure that it would be desirable in the interests of the wife that the Court should be bound to dissolve the marriage on the ground of the husband's adultery alone. Of course, my hon. and learned Friend may meet that by saying that there should be a discretion given to the Court; but I think there would be a great objection to give that discretion to the Court, having regard to the protection which is afforded to the wife by a judicial separation, by increase of alimony, and by the custody of the children. The opinion I have formed—and I have given some thought to the question and I give my opinion with great deference to the opinion of others—is,

that it would be undesirable that there should be an alteration of the law in the manner indicated by my hon. and learned Friend who moved the Second Reading of this Bill. He will, of course, appreciate the distinction I make. I have already said that I have not any objection to it from what I may call the moral view of the case; but I consider that an alteration of the law, even in that respect, is undesirable, and that, being undesirable, we ought not to relax the conditions under which the dissolution of marriage can be granted, unless a very strong case can be made out. I trust that hon. Members who have experience of the working of the Divorce Court will follow me in this Debate, if it is thought necessary to continue it; but knowing, on previous occasions, that the question was going to be raised, I took steps to inquire from those whose opinion I value, and from those whose opinion I am sure the House would consider entitled to very great weight, as to what would be the practical working of a change in the law in this direction; and certainly the great majority of those who have experience of the working of the Divorce Court to whom I have spoken have concurred in my opinion that a relaxation of the law in this respect would be undesirable. I cannot part from this branch of the subject without again referring to the question of collusion. It has been impressed forcibly upon my mind repeatedly during the last five or six years. I want my hon. and learned Friend to consider how the question of collusion bears upon this question of the relaxation of the conditions under which dissolution of marriage can be granted on the ground of the husband's adultery alone. Parties very often have no objection to be charged with adultery when they want to be divorced. It is not an uncommon thing for a wife to allege cruelty in order to turn judicial separation into a decree for the dissolution of marriage. The husband not unnaturally is unwilling to admit that he is guilty of cruelty. Therefore we have one safeguard, though it is a slight one, against collusive divorce, because if the husband has been

guilty of adultery, and not guilty of cruelty, only a judicial separation, and not divorce, can be obtained. If the alteration of the law proposed by my hon. Friend were carried into effect then a divorce could be obtained on proof of the husband's adultery alone; and I am satisfied that, in the case especially of both parties wishing to get rid of one another, the door to collusive divorce would be much more freely opened, and we should hear more of it. Speaking with some little experience of the Divorce Court—though I give my opinion with all deference—I think it is undesirable, speaking of the procedure of the Divorce Court, to relax the conditions on which dissolution of marriage can be obtained, and to make the facilities for obtaining the dissolution of the marriage contract more easy. From the point of view of morality, from the point of view of perjury, and from the objection I take from my experience of the working of the Divorce Court, I think this relaxation would not be a wise step. The only argument, if I may venture to call it an argument, that my hon. and learned Friend used is based upon Scotland—a country for which I have the greatest respect; and for the laws of Scotland I have the greatest admiration. But I feel that it is not by calling attention to a law which has existed in Scotland for 300 years, and was, therefore, well known at the time that the English Divorce Act was passed, and was no doubt taken into consideration—it is not by calling attention to that, but by showing, if it can be shown, that within a reasonable period divorce or dissolution of marriage for lesser offences has prevailed largely in Scotland, that some ground would have been shown for the Second Reading of this Bill. But it appears to me that the House should not agree to the Second Reading of this Bill, and that at the present moment it is not desirable that the law should be altered in the manner proposed.

*(7.17.) **SIR J. MCKENNA** (Monaghan, S.): I rise for the purpose of moving the Amendment which stands in my name on the Paper. I venture to say that this is one of the most audacious Bills introduced to Parlia-

Sir R. Webster

ment since I have first had a seat in this House. What this Bill proposes to do is to make it easy to obtain a divorce by the simplest collusion, and without the slightest impairment of the character of either party. That is the premium that is held out. A duly married couple have only to separate for four years, and then they can obtain a divorce as a matter of course. One of the greatest obstacles that now lies in the way of availing of the Law of Divorce is this: that it cannot be done without a certain amount of punishment, social and otherwise, hanging to one party as a result of the decree of the Court; but what does this Bill say? If either the husband or wife deserts—that is to say, keeps out of the way for four years—that will amount to legal desertion of the party who complains, and who may be the great offender, and gets completely rid of all impeachment of character of either party, thus offering a temptation to the innocent one, and holding out a premium of immunity to the guilty one; for if there is guilt in any case under this Bill, however serious, there is no provision whatever for the Queen's Proctor intervening. In cases of this kind nothing could be easier than collusion. An infamous offender might, in fact, force his wife to take the only remedy open to her—namely, proceedings for divorce, which carried no punishment. Under the pretence that it is desirable to assimilate the law of England to the law of Scotland, the hon. and learned Member introduces this Bill, which purports to apply the same condition now applicable in Divorce under the law of Scotland to the Law of Divorce in England. The hon. and learned Member has not explained how the Marriage Laws of England and Scotland have been so different for centuries and are so still; but it came about in this way. The Christian Law of Marriage was early promulgated in England, but was never proclaimed in Scotland at all; not even the latest summary of the law, that of the Council of Trent; thus when the Reformation came upon these countries, whether for good or whether for ill, the Marriage Law of Scotland was radically different from the Marriage Law o-

England. I may say for the information of my hon. Friends that the Marriage Law in Scotland was, before the Reformation and in Catholic times, what it has been ever since, with the exception of a few modifications that have been introduced in the course of the last 20 years. The Law of Marriage stood before the Council of Trent in this way—it was left undetermined whether the Sacrament of Marriage was performed by the parties themselves or should be by the intervention of a priest in orders. The Council of Trent decreed that for the future in every country in Christendom in which the Council of Trent should be proclaimed—but not till then—the marriage between the subjects of the Church and of the State should be *in faciem ecclesiæ*—in face of the Church; which, interpreted into ordinary language, meant that it should be in the presence of the priest of the parish, where the ceremony purported to be effected. The marriage law, as laid down by the Council of Trent, was proclaimed in England; it was proclaimed in France; and it was proclaimed over all the Continental countries of Christendom; but it never was proclaimed in Scotland, and, the Council of Trent not having been ever proclaimed in Scotland, they have nothing to modify, and they have had no occasion to do a number of things there which the ancient law of England since Saxon times made absolutely imperative in order to validate or which, being omitted, might afterwards invalidate a marriage. We are now asked to assimilate the law of England and Scotland with respect to marriage; but the hon. and learned Member cannot say that the law of Scotland is now exactly what he proposes that the law of England and Scotland should be when this Bill is passed. Well, I now understand the hon. and learned Member does say so, but even if this be the state of the law in Scotland, I would ask to be informed what advantage and how many times advantage has been taken of that law in Scotland for the purpose of carrying out divorce on principles that would be made easy for both England and Scotland? That would be more pertinent

to the argument by which the hon. and learned Member attempts to support his Bill. That fact would be more pertinent than anything else—how many people in Scotland have felt so aggrieved for the last 300 years that they availed themselves of the facilities for divorcing themselves from one another on the ground of mere desertion? How many have availed of it? If very few have availed of it, then I say that there should be no temptation held out to the people here, who are of a different constitution from my Scotch friends. Then there is another ground on which I say this Bill ought to be rejected. There has been no warning of it, and there has been no inquiry on the subject. Even if there were a justification in the minds of the majority of this House for bringing in such a Bill and sending it to a Committee, it would be a most serious thing to stamp it with the seal of a Second Reading in this House without its having been submitted previously to any test except the test of the judgment of the five Gentlemen, which is not altogether infallible, whose names are found on the back of the Bill. I beg to move that this Bill be read a second time this day six months.

* (7.29.) MR. KELLY (Camberwell, N.): I beg to second the Motion of the hon. Member. I am not at all in favour of dealing, and I trust the House will not deal, piecemeal with the Marriage Laws. I admit that there are cases in which divorce is most improperly denied, as for example in cases of insanity, of habitual intemperance, and of long terms of penal servitude. In the case of penal servitude for life I think that the relief should be given which is now denied; but I am not prepared—and I trust that the House will plainly say that it is not prepared—to enter upon this large question of reform for the mere purpose of making changes. I admit that on the face of it there appears to be some injustice in saying that while a husband shall be entitled to a divorce from his wife on the ground of her immorality, the wife shall not be similarly entitled. Theoretically the cases are the same, but

practically they are not. It is manifestly of the greatest importance to the children that they should have their mother living with them and caring for them. The immorality of the husband, although it may be a bitter and cruel wrong to the wife, cannot, and does not, inflict the same wrong as the adultery of the wife does, not only upon the husband, but upon the children of the marriage. The circumstances are not the same. This Bill, therefore, can scarcely commend itself to one's mind, because it makes an alteration in the case of adultery in favour of the wife. As to the desertion of a wife by her husband, the House must be aware that if the husband has also been guilty either of adultery or desertion of his wife for only two years, the wife is now entitled to go to the Court and to obtain the relief she requires. The wife, if she cannot, as the Bill proposes, obtain a divorce on the ground of her husband's desertion for four years, has a remedy; for, after two years' desertion, she can have a decree of judicial separation from him. The question of desertion is one of such minor importance that the House will decline to alter the law in regard to it. I would remind the House, if necessary, that we have not far to go to see what the result of tampering with the law of divorce has been. Hon. Members should remember how the United States stand in regard to this matter. The law there practically varies in every State. Almost without any sound reason—in fact with none, except a mere unwillingness to live together—people are divorced by dozens and by hundreds every year in particular States of America. And, indeed, even in France there was a case the other day in which a wife of 80 sued for a divorce from a husband of 80 on the ground of incompatibility of temper. I once met with an American in a railway carriage who explained that he had been divorced five times, and who said he only regretted that he had not sooner known that a divorce could have been obtained for \$45. Such a state of the law must be a scandal, not only in our eyes, but also in those of all thoughtful Americans. People from the States often congratulate us in

Mr. Kelly

England upon our having had the good sense not to tamper with the sanctity of the marriage rite. By refusing to enlarge the grounds upon which marriages may be dissolved in this country, we shall, I trust, do something towards preserving the sanctity of the marriage tie, for which England has been perhaps more honoured than any other country.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir J. McKenna.*)

Question proposed, "That the word 'now' stand part of the Question."

*(7.38.) *MR. McLAREN* (Cheshire, Crewe): I cannot allow the House to divide without saying how strongly I wish to see this Bill carried. I do not approve of the provision that divorce can be obtained for four years' desertion, but that is a detail for Committee. The essence of the Bill seems to me to be, that whatever the law as regards the cause of divorce against a wife may be it should be the same as against the husband. I regret that there should be a feeling in the House against the alteration of the law proposed by the Bill. The law in Scotland has always worked perfectly well; while in France an Act has been recently passed on the same lines as this Bill, which is also working well. Therefore, there is no reason why we should not have a similar law in this country, and I earnestly hope that the Bill will be read a second time.

(7.41.) *MR. TOMLINSON* (Preston): I hope that the House will not assent to the Second Reading. It has been brought in by a Scotch Member, but English Members have a right to say that they are much better satisfied with the law as it stands in England than they would be with the introduction of the Scotch law on the subject. We have been told that the Scotch law works well in that country; but however that may be, it is no reason why Scotchmen should bring in a Bill seeking to alter the law in England. I am prepared to give my cordial assent to the Amendment, and I hope the House will agree to it.

Question put.

(7.45.) The House divided :—Ayes 40; Noes 71.—(Div. List, No. 85.)

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

NAVY (HYDROGRAPHER'S REPORT).

Copy presented,—of Report on Admiralty Surveys for the year 1891 by the Hydrographer of the Admiralty [by Command] ; to lie upon the Table.

LABOURERS' (IRELAND) ALLOTMENTS BILL.—(No. 94.)

Lords' Amendments to be considered forthwith ; considered, and agreed to.

MOTIONS.

GAS PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Sir Michael Hicks Beach, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Gas and Waterworks Facilities Act, 1870," relating to Cullingworth Gas, Kempston Gas, Mitcham and Wimbledon District Gas, South Normanston and Blackwell Gas, and Sutton and Hooton District Gas, ordered to be brought in by Sir Michael Hicks Beach and Sir John Gorst.

Bill presented, and read first time. [Bill 295]

SUNDERLAND'S CHARITY BILL.

On Motion of Mr. Barran, Bill to confirm a Scheme of the Charity Commissioners for the application or management of the Charity of Samuel Sunderland, in the parish of Bingley, in the West Riding of the county of York, ordered to be brought in by Mr. Barran and Sir Stafford Northcote.

Bill presented, and read first time. [Bill 296.]

WITNESSES PROTECTION BILL.

On Motion of Sir Charles Russell, Bill for the better protection of Witnesses giving evidence on Parliamentary and other public inquiries, ordered to be brought in by Sir Charles Russell, Mr. Burt, Mr. Bryce, Mr. Fenwick, Mr. John Morley, and Mr. Edmund Robertson.

Bill presented, and read first time. [Bill 297.]

GOVERNMENT OF SCOTLAND BILL. (No. 65.)

SECOND READING.

Order for Second Reading read.

(7.50.) DR. HUNTER (Aberdeen, N.): This is a measure of such great importance that I regret it comes on for Second Reading in a House containing such a small number of Members. I will shortly explain to the House what its provisions are, and what are the grounds upon which it is founded. In the first place, I would point out that this House has far too much work to do in regard to Imperial matters, English matters, and Irish matters, to be able, however willing it may be, to give proper attention to the business of Scotland. We could undoubtedly find the time and the opportunity to manage the business of Scotland for ourselves, without the assistance of English or of Irish Members, in a manner far superior to what can be done in this House. In the second place—and this is the more important point of view—Scotch Members are in a very small minority in this House, and Scotch opinion is habitually overturned and set aside by the English votes. There are 500 English Members in this House, whilst Scotland has only 70, or 72 including the Universities. The result is that almost everything that Scotland wants is refused, and what Scotland does not want is forced upon it by this House. During the last six years a widespread feeling has been produced in Scotland that something should be done to secure the better management of the affairs of that country. I will spare the House to-night a recital of Scotch grievances, and will at once explain that the main provision of this Bill is that the whole legislative work of Scotland should be done in Scotland by the Scotch Members of Parliament ; that these Members should meet in the autumn to dispose of the business ; and that the Bills that they pass should become law with the sanction of the Crown, and without the interference either of this House or of the House of Lords. The sphere assigned

by the Bill to the Scotch Legislative Body is almost precisely identical with that which was provided for Ireland in the Bill of 1886.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present.

DR. HUNTER: It is proposed that if there is any doubt as to whether the Scotch Legislative Body has transgressed the limits laid down for it the Bill shall be laid before the Judicial Committee of the Privy Council, and hon. Members should take the advice of that Committee, and not give their consent to the Bill if the Committee decide that it is a violation of the limits laid down. This plan, I think, would be most advantageous, as it avoids the difficulties which exist under the United States Constitution. At the same time, it provides a most competent and able tribunal to determine whether Bills passed by the Scotch Legislative Body are within its powers. Then there is another provision with regard to the relation of Scotland to England in the matter of taxation. It is provided in the Bill that, after the Scotch Legislative Body has been appointed, Scotland should pay towards the maintenance of Imperial establishments in the same proportion as England and Wales, having regard to the relative wealth and number of the population. Now, from our point of view, this is a most important provision, because on an examination of the figures which have been supplied to this House by the Chancellor of the Exchequer with reference to the taxation of Scotland, Ireland, and England, it appears, after a proper account is taken of the sum Scotland actually pays and the sum which she would pay, having regard to the number and wealth of her population, that Scotland would be at least a million and a half richer than she now is. A million and a half is no doubt a very small sum so far as England is concerned, because she is a large and wealthy country; but to a small country like Scotland,

Dr. Hunter

with only 4,000,000 of population, the sum is a large and serious amount. I hope the Government may appoint the Committee which they have promised to inquire into the subject during the present Session, and no doubt that subject can be better discussed by a Committee than by the House itself. There is one reason which to many of us is in itself sufficient for the passing of this Bill. Under the operation of this Bill, if it become law, the Scotch people, without the interference of the English people—and, above all things, without the interference of the other House—would be able to pass such measures for the good government of their country as they might feel just and necessary. And if there is one grievance felt in Scotland more than another it is the tyrannical majority of the English Members who, naturally, vote on Scotch questions according to English ideas. If, however, I take a lesson from them and endeavour to impart a little of the enlightenment and liberality which exists in Scotland, they turn round and denounce me for interfering with English questions. That is a question which I hope they will take to heart. What we complain of is that we are over-ruled and overridden by an English majority which is totally indifferent to either the feelings or interests of the people of Scotland. Then how do the Government propose to meet this universally acknowledged evil? Why, they introduce Private Bill Procedure for Scotland—a measure so ridiculously inadequate and so inconvenient and preposterous in its provisions as a first instalment of Home Rule that it is laughed at from one end of Scotland to the other. I shall not detain the House longer, but move the Second Reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Hunter.*)

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,—

House adjourned at a quarter
before Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 27th April, 1892.

ORDERS OF THE DAY.

PARLIAMENTARY FRANCHISE (EXTENSION TO WOMEN) BILL.—(No. 36.)

SECOND READING.

Order for Second Reading read.

*(12.20.) SIR A. ROLLIT (Islington, S.): The subject of the Bill of which I now move the Second Reading is no new one to the House of Commons. For upwards of a quarter of a century it has been debated upon Bills and Resolutions, and this gives the House the advantage of familiarity with the question; but it has some disadvantage for myself, since it forces upon me a conscious contrast with much more able men who have on previous occasions introduced this matter to the House of Commons, the advantage of whose assistance I am glad in many cases to have to-day. All I can hope to do is to contribute some municipal experience which may be useful, since the Bill is based on municipal precedents and example, which have been too much ignored in previous debates. One new aspect is given to the question by the letter which has been addressed to the hon. Member opposite (Mr. S. Smith) by the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone). I realise that such a communication is naturally very forcible, and I shall treat it with great respect; but if I may make one criticism upon it, it is that I think it does not discuss the proposal from the standpoint from which it is now made, but seems to be based rather upon communications of a similar character addressed to the newspapers, and also, I think, to a constituent by the hon. Member for Flint (Mr. S. Smith), and to be a reflection of his opinions rather than a discussion of the principles of the proposal we make. But, at any rate, that pamphlet has had one advantage. If this subject—which I cannot conceive—has not received sufficient public attention, the letter

has secured it. There is another and even a greater benefit attaching to it, in that it invites and sets an example of a more serious discussion the subject, and I am quite sure the tone of the letter in this respect will not be lost sight of. I have said the subject is not new to the House of Commons, but I am glad to-day to be free from one reproach which has, on former occasions, been addressed to those who have stood in my present position—that the Bill has been brought before one and the same Parliament Session after Session. On this occasion it may be said that the measure has not been before this Parliament at all; and when I recall the fact that in the last Parliament the Bill had the advantage of the advocacy of the hon. Member for Hanley (Mr. Woodall), and passed the House without division, I think I am justified in bespeaking for it a statesmanlike consideration to-day. A further change in the position is that the Bill has quite a new form. I have carefully read the debates and the criticisms passed upon former measures; and, if I may venture to say so, I think those discussions and criticisms have generally been of a too high-pitched abstract character, and I do not recognise them as applicable to the proposal in its present practical shape. They seem to me—those criticisms—to have exaggerated and distorted both the subject of the proposal and the objections to it; and I repeat that, even in the case of the recent letter to which I have referred, that old ground seems to have been taken once again—that, in the words of the hon. Member opposite, this is a proposal “revolutionary in character,” “a reversal of the order of nature,” that it is “such a change as has never been made since the Creation,” and now “put forward for the first time in the world’s history.” All these expressions are addressed to the proposal to confer upon women a vote for Parliamentary elections which they have long exercised, and exercised with advantage in relation to municipal government. Revolutionary! Why, Sir, this proposal is not even an innovation; for if I remember my history correctly, the franchise, both Parlia-

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

mentary and municipal, was possessed by women in former times on the same lines as those I suggest to-day—at any rate it was exercised by women from time to time in the election of knights of the shire for Yorkshire and elsewhere. If I wanted to found myself on good constitutional ancient authority, I would remind the House that this was so in the days of the Plantagenets, and certainly of the Tudors, and that ought to be good enough for some hon. Gentlemen on this side. Then, on the other hand, to influence hon. Gentlemen on the opposite side of the House, I might say that this was put an end to by Judge-made law; and having in mind expressions of opinion upon Judge-made law during the recent Debate upon the Law of Conspiracy, I commend that fact to the consideration of such hon. Gentlemen. It is also a coincidence that may strike both sides of the House that, while this Judge-made law emanated from a Member for Liskeard (Coke), we to-day shall have the advantage of the aid of another Member for Liskeard (Mr. Courtney) in favour of this proposal. And, if this privilege of voting by women was extinguished because of its disuse, I must remind the House that the cessation was due to the association of the vote with services in kind, and that those services have since been commuted, with the result that qualified women do just as much for the Army as most men—namely, help to pay for it. But these criticisms, however forcibly they may have applied to former measures, can have no application to this Bill, which aims, as I say, at a practical—and the only present practicable—solution of the question, and which is based distinctly on the, natural, and ultimately inevitable, development of our principles of representative government. If I may quote a political authority for this, I should use the words of Sir Henry Maine, who, in his *Early History of Institutions*, says—

“The civilised societies of the West, in steadily enlarging the personal and proprietary independence of women, and even in granting to them political privilege, are only carrying out still further a law of development which they have been obeying for many centuries.”

May I remind the House this is an

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age of successive and successful franchises, successful in securing attention to, and proper precedence in the consideration of, the interests of the classes on whom votes have been conferred? And so we hope this extension will secure proper regard for the interests of those who are now unrepresented among the electorate. It was once said by the right hon. Gentleman the Member for Midlothian, speaking of a large class of men, “They have no votes, and so may be safely neglected.” I heartily accept this expression as applicable to those with which this measure deals. Illustrations of such neglect are not wanting. The middle-class Parliament formed in 1832 did nothing for popular education, or very little; but the election of the Household Suffrage Parliament of 1867 was followed by the passing of the Education Act of 1870 and the Labour Statutes of 1875, which have materially improved the conditions of life of the labouring classes. So, too, the County Franchise Act has been quickly followed by the Allotments Acts and by the Bills which are at the present time before the House for discussion, one of which is to confer upon labourers in rural districts the advantage of acquiring small holdings. Again, enfranchisement has hitherto proceeded on two great main lines:—the possession of qualifying property and contributions to taxation. Time was when taxation without representation was spoken of as tyranny. That was then the tyranny of Kings, but the tyranny is not the less if it is the tyranny of the multitude; it is then a multiplied tyranny. On the ground of representation with taxation these votes are asked for. The principle upon which the franchise has been extended is the possession of evidence of citizenship; mere manhood is not sufficient; a man must have, even in the minor cases of the lodger and service votes, a house of some description and contribute to the payment of rates and taxes. Whether a different principle may be adopted in the future we cannot say. The basis of the franchise now is the household and contribution to the national burdens, and upon that basis we claim the extension of the

franchise to qualified women. Manhood suffrage may or may not come; it is a matter, after all, only of opinion; speculations based upon it are irrelevant to the present question; we may leave that to future Parliaments. We must not, as I think the hon. Member for Flint (Mr. S. Smith) suggests, treat future Parliaments as automatic machines to carry out the behests of the Parliament of to-day. We must have sufficient faith in future Parliaments to know that they will act rightly and with the advantage of knowledge of the conditions of their time; that they will do what is just and expedient as we do what is just and expedient to-day. We cannot bind future Parliaments; we cannot prophecy what they may do; we must do our duty by giving the franchise where it is right and due, and we must rely on future Parliaments doing their duty in protecting that privilege, and in the establishment of good government, not carrying the principle to illogical and improper conclusions. We must not, therefore, on the faith of any such speculative assumptions, refuse to fulfil the franchise of citizenship by admitting to it qualified and capable women citizens; we must not decline to do right because others may seek to do wrong; we must do our duty in the conviction that our successors will do theirs and no more than theirs; and indeed, judging from the present state of electoral law, the fear is not that Parliaments will push matters to too logical conclusions, but that they may be only too well trusted to retain any number of illogicalities and anomalies. Now, we are told that this proposal to confer the franchise on qualified women is, to use the word of my hon. Friend, "revolutionary." We are asked when and where was such a change ever made; and the practice in former Debates has been to quote instances where such a franchise has been conferred. It has been asserted that there has been a partial exercise of such a franchise in Italy, and reference has also been made to Denmark, and to the existence of the female franchise in Wyoming and other places. I will not dwell on these instances, though I may mention that

Wyoming is now a State, and the franchise has the approval of high official authority, and the right to vote there carries with it the right to hold any public office in the United States. But I pass to an illustration nearer home. I have a letter from a member of the States of Guernsey, and my correspondent mentions that a Bill has recently passed the island Parliament, and is now law, giving a vote to lady householders—who pay rates and taxes as householders—on the very lines of this Bill. Women, my correspondent adds, are not eligible for any office, nor can they be members of the States. There you have the principle in both respects upon which this Bill is based; but the right to vote carries with it no right to hold office or to sit in Parliament. The measure, I am informed, works very well in Guernsey. I might also refer to the case of the Isle of Man, where there is a similar franchise. The Colonial Confederation Scheme of Sir Harry Parkes contemplated such an extension of the franchise, and some colonies, including South Australia, have nearly passed such a measure. It is suggested to me that in New Zealand the proposal was only defeated by the votes of two Maoris. I mention this because my hon. Friend opposite has imaginatively pictured the battle of our eleven millions of women against our ten millions of men, and the defeat of the latter; and if that be possible, one may also imagine Macaulay's New Zealander contemplating from London Bridge not the last man—but the last woman. I do not rely, however, on these instances or on these illustrations as arguments; we have ample practical experience in the United Kingdom in our Municipal and County Council elections; and, looking at the development of our constitution, I would ask where should we look for such a completed franchise if not to our own country, the home of representative institutions, from which, as such, this franchise is asked for qualified women, and for such and such only? Next, much has been said of the manner in which this proposal has been advocated, and I am not concerned to defend all these methods. But the arguments of our opponents

are too often contradictions in terms. If women press for this extension, then "they are agitators, and their demand should not be complied with;" if they do not agitate, then "they are indifferent on the subject." If many Petitions are presented, then "they are got up by organisation;" if the Petitions are few, then "you see women do not want this extension." If the platform is occupied, then "there is reason to fear the invasion of Parliament by the advocates of female suffrage;" if the platform is not resorted to, then "there is no popular feeling in favour of the proposal." The allegation that it is not wanted has invariably been urged against the extension of the franchise to any class. It is based on the fallacy of universality. It is not true to say that women do not want the franchise though some may be indifferent or opposed to it; but the exercise of the franchise will be optional—there is no obligation to use the vote or to follow the example set by those who think it gives the proper protection of their own interests, and those who do desire it ought not to be debarred from it for the sake of those who need not exercise it. With regard to the methods by which the present proposal has been advocated, all I can say is I have taken no part in any agitation. I have attended no meetings on the subject; happily, not the one held last night, the proceedings of which I thoroughly disapprove. Very many Petitions have been presented—some, no doubt, open to the criticisms which can always be directed against this form of expression of opinion. These Petitions have emanated frequently from large bodies of people, and are signed by Presidents and other officers, who represent very large constituencies. The Petitions have been largely signed by those who belong to all classes, and very many of whom are obviously in humble positions. Resolutions have, at one time or another, been passed by the great political organisations of both Parties, at Leeds, at Birmingham, and elsewhere; and though it may be said that women should not take part in political campaigns, they have been urged to do so by the leashes of both Parties; their assistance has been welcome, and most of us are grateful

for it. Petitions have been presented from some 160 branches of the Women's Liberal Federation, some of them this morning. The attitude of the Press towards the proposal has in London been critical but just, and not unfavourable in many cases; the Provincial Press has been eminently moral, especially in Scotland, and I do not hesitate to say that from the Provincial Press we get a good index of the public opinion of the country and of its probable development. This, therefore, is a constitutional concession constitutionally asked. Though I have incidentally referred to Parties, let me say as emphatically as possible that this is in no sense a Party matter, and the names attached to the Bill show that. The tendency of the influence of women voters will be to modify Party feeling, which, however necessary under our existing system, is, in my opinion, too often a disfigurement of our natural life; and I hope for the time when it will be more generally felt that he does best for his Party who does best for the State. On the other hand, woman must not be sacrificed to Party exigency; and I trust that they may be the hope of each Party, the prey of neither, and the sport of none. I gladly leave this part of my remarks for the moment to tell the House how the Bill carries out the principles under which it is introduced, for it appears there is much misapprehension in some minds as to what the Bill does and what it does not do. It enacts that—

"Every woman who in Great Britain is registered or entitled to be registered as an elector for a Town Council or County Council or who in Ireland is a ratepayer entitled to vote in the election of Guardians of the Poor, shall be entitled to be registered as a Parliamentary elector, and when registered to vote at any Parliamentary election for the county, borough, or division wherein the qualifying property is situate."

These words "qualifying property" follow the Municipal Corporations Act of 1882, and this is the basis of the existing female franchise. What will be the effect of accepting this? And what will be the results—not by mere prophecy, but by necessary inference? In England and Scotland, under the Municipal Corporations Electors Acts, every inhabitant occupier—that is, practically every householder who

for twelve months has been rated and has paid rates—is qualified for, and entitled to, the franchise; and the effect will be to give just the same, no less and no more, to a woman who is similarly qualified, subject to two exceptions which I will deal with in a moment. In Ireland, where there is not yet a Local Government Act, but where we hope that under the auspices of one Party or the other there soon will be, there will then be an easy application of the same principle for conferring the franchise on women, and I think the Local Government Bill for Ireland contains that provision. Meanwhile, the closest analogous Statute, the Poor Law Act for Ireland, 1 and 2 Vic., c. 56, has been taken as giving the nearest approach to the franchise to be conferred on women in this country, and it will thus be conferred on all those who are duly qualified as ratepayers or as county cesspayers to vote for the election of Guardians of the Poor. The Bill, if passed, would add about a million to the electorate, as against some 300,000 to 400,000 under previous Bills—a million of women who have had a long experience in the exercise of the franchise; and if it be said by my hon. Friend opposite that this will be a large number as opposed to men who are similarly qualified, let me tell the House that they will only be a seventh or an eighth of the constituencies, subject to a large deduction for those who are said not to wish for the franchise and who assumably will not vote, and in the event of such a pitched battle as he anticipates the forces will be pretty equally matched with all the advantage of his leadership on that side. A million will be added and no more. And now what will the Bill not do, for I have heard attributed to it a great deal which is not within its purview. It will not “disfranchise” a single person—it is an enabling, not a disabling Bill, accepts the existing Parliamentary lines, the lines of experience and usage under the Municipal, Educational, and other Franchise Acts. It leaves the Franchise Law exactly as it is, and follows those Parliamentary lines under which the franchise has hitherto been exercised. At present married women

are not registered as voters for municipal elections, nor can they vote for School Boards. If, therefore, it be said there is an inconsistency and an anomaly in that this Bill does not confer the vote upon married women, it is an anomaly which is the creation of Parliament itself. If it be said, as it has been said by the right hon. Gentleman (Mr. Gladstone), that this proposal is “halting and inconsistent,” then I reply that the halting and inconsistency are the halting and inconsistency of Parliament, of the Governments of the right hon. Gentleman which conferred the municipal franchise in 1869 and 1882, creating and training a special class which is thus qualified for further similar privileges, any undue excess of which may well be left to future Parliaments, which will be governed, like ourselves, by practical considerations. May I also point out that the criticisms upon the non-inclusion of married women are generally put in a somewhat illogical way? It is said, first, that the principle of including women in the franchise is objectionable; but, again, it is said, “If you include married women a great objection to the measure will be removed.” In fact, the argument is, first, that we should not include any women; and, secondly, that we should include more. This is too often the reasoning not of sincere friends, but of enemies—sowing tares and tempting us to go further in the hope that we may fare worse. There is no inconsistency on our part; we accept the position as Parliament has made it, and we are quite willing, if Parliament thinks fit hereafter to assimilate the municipal and Parliamentary franchise, we are content to leave that open for future Parliamentary consideration. By an historical accident the municipal and Parliamentary registers slightly differ in some few respects. Among these, the municipal register does not include married women or lodgers, and the municipal register is taken as the basis of this Bill, because of the experience of its working, which offers a strong argument in our support, for we can say the class who have had the municipal franchise have exercised it with such advantage that they are en-

titled also to the Parliamentary suffrage. We accept the present law and existing experience as a basis, and it has at least this advantage, in that it enables us to avoid the rocks on which previous measures have struck, to escape such differences as these as to the duplication of votes, or differences and discord in the home, the creation of faggot votes, and the like, by accepting the law just as it is, and by not touching such matters of controversy. In Scotland the law gives the vote to married women who are living, as the expression is, "not in family with their husbands," and we take the law of Scotland as it is as indicating that it is in accordance with the general opinion in Scotland and a similar observation may be made in regard to the enfranchisement of the female trader under the custom of the City of London. As I have said, the underlying principle of the Bill is that it accepts and utilises the law as it stands for a still further development of the franchise. That being so, we are able to say the Bill goes past the differences which have hitherto divided the House, and we escape criticisms which are not applicable to the present measure, however they may have applied to previous proposals. We also claim that we proceed on the old constitutional principle of advancing step by step so often resorted to in the legislation of this country, and which no doubt has produced many anomalies. What Parliament may hereafter do is a wholly different matter; but if we look at the manifold complexities and illogicalities in Acts conferring local franchises, it cannot fairly be said that the apparent anomaly here presents an obstacle to this measure. Similarly, in relation to women lodgers the Bill follows the lines of experience and of least resistance; it does what is at present practicable and possible; and though, as in the case of married women, we concede that much, very much may be said on each side, and that many arguments which have been used are based on mere assumptions, still the fact remains and justifies us that the municipal and other registers on which we are proceeding do not include married women or lodgers, that the Bill enfranchises large numbers of

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women, that it gives additional security for the consideration of the interests of all women, from the woman's own point of view, and that other points may well await what would be a public advantage—namely, the unification of the municipal and Parliamentary registers. In former Debates local experience of a parochial character was chiefly resorted to in support of the claims of women, the right to vote for overseers, and better, the right to vote for Local Bodies, and still better, the right to vote for School Boards and to serve on School Boards. I mention the Boards of Guardians and School Boards to point out that when Parliament intended to confer the right to sit and serve, as well as to vote in elections, Parliament has had the courage to give that sanction by Statute, but when that right is not thus given the inference is that there has been no such intention. The Statute of 1869, passed under the Government of the right hon. Gentleman (Mr. W. E. Gladstone), gave the right to women to vote at municipal elections, or I should rather say it was revived, for it had previously existed, and was ignored by the Corporations Act of 1835. In previous Debates it has been said that this right of women to vote at municipal elections was given by accident—"by a slip"—at three o'clock in the morning, and, said a former Member for Huddersfield, "You will not catch us napping a second time." This means, if anything, that the opponents of the Parliamentary suffrage for women would, if they had the opportunity, oppose municipal suffrage for women, and would on the same grounds—grounds of prophecy which have been falsified by experience—deprive the country of the advantage which that Act of 1869 is admitted to have conceded. In 1882, notwithstanding all that has been said about slumberous legislation, the Municipal Corporations Act adopted the provision without any opposition. It was, in fact, discussed in the Lords in 1869, and had the able advocacy of Lord Cairns, and, I think, the Home Secretary. Lord Aberdare spoke for it even in the Commons, and it was heartily accepted. The Municipal Corporations Act adopted the proposal, the principle has been conceded, and if there can be any

debate now it should be as to the application of the principle, not to the principle, of the right of women to vote. Experience, now for a quarter of a century, completely supports the way in which that franchise has been exercised, and municipal elections have been generally conducted in a manner highly creditable to all concerned, including women. If there had been any objection to women's votes in Municipalities certainly my connection, as President, with the Municipal Corporations Association would have brought such arguments to my knowledge. But experience rebuts nearly every one of the speculative assumptions of my hon. Friend opposite. The proportion of women voters in municipal elections is from 15 to 17 per cent., made up of women of all classes, duly qualified, and two-thirds or three-fourths of whom are women occupying houses rated below £20. Let me refer to a letter I have received from the neighbourhood of Huddersfield. My correspondent says—

"Many women in this neighbourhood would be enfranchised by such an Act as you propose, and especially widows of respectable working men, who have made such provision for them that they continue to rent the houses they occupied during their husbands' lifetime."

This is important testimony to the fact that this proposal will not enfranchise an exclusive class; it will include a large body of working women. I have many other similar letters. Then much has been said as to the desire or otherwise of women to exercise this franchise, and the answer is, from practice and statistics, that women do exercise the franchise now at municipal elections in the same proportion as men, and that the exercise of the vote by women is increasing, especially in Scotland. Women do not vote in that solid mass which has been suggested, but, on the contrary, the votes are very materially divided. The recent County Council elections, for instance, show that such is the case. And the reason is that women are associated with all the relations of life, and that with this extension there would be no transfer of voting power from one class to another, such as has accompanied previous enlargements of the franchise. Then there is the argument

from disaster and from the supposed difficulty in women recording their votes at Parliamentary elections; but where can be the difficulty in women once in some four or five years doing that which, in municipal elections, they do annually—placing a voting paper in the ballot box? Municipal elections have, in fact, been conducted very much on political lines; political considerations enter largely into them, and if there is question of disorder, I should look for that disorder in those small boroughs where strong Party and personal feeling frequently reigns, and yet where women are able to record their franchise without any difficulty whatever. But the fact is that, so far from having an unfeminine tendency, this Bill will enable the quiet and unassuming women to vote, as distinguished from the more active aspirants to the platform. I refer to the exercise of the municipal franchise for one purpose more, and only for one purpose—that is to say, that the municipal vote has not been followed by any general or practical demand for seats in Councils or claims to the Mayoralty. I should be far from endorsing any such claims, and have declined to present them to this House. There is a distinct and permanent difference between the right to vote and the right to sit in a deliberative assembly; the disqualification for the latter has been decided to exist as to women, and it has long subsisted in the case of the clergy and the Civil Service, so I deny the inference that because the right to vote is accorded it must be followed by the right to sit or to hold office. With regard to the right to vote, I may point out to the House that it is one that has been exercised under the conditions I have mentioned without difficulty; and I do not know that there has been any real complaint as to the manner in which their constitutional privilege of the municipal franchise has been exercised by women. I believe the late Mr. Beresford Hope and the Member for Huddersfield said "it has not been a success," and one said that it had been "a mistake." But I quote the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone), who said "they have exercised the franchise

without detriment and with great advantage." And yet it has now been said by the same right hon. Gentleman that this municipal experience to which I have referred is, after all, but a "plausible shadow"! It is coupled by him subordinately with the right to enter the Universities, with the right to intellectual culture; and yet the fact is ignored that women have taken an active and useful and unpretentious part in the public affairs of the country and in the localities, and have earned the appreciative expressions of the right hon. Gentleman himself. There is just one other subject to which I should like to refer, and that is this: that there has been an actual neglect of the interests of women in dealing with the subjects in which they are interested. I notice that one statesman (Mr. W. E. Gladstone), has said, and I think he has said with great truth, that—

"Men have often been the most unfaithful guardians of women's rights to social and moral equality."

But it is said that these grievances have been remedied, and no doubt a great deal has been done for the protection of women; for instance, in regard to the conditions of their labour in mines and at the loom. Nevertheless, a former advocate of women's suffrage, the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), said at Wolverhampton only the other night what is certainly true, that—

"The need for reform is as great to-day as ever, and every day develops new claims,"

and I should like to call attention to one or two matters in which this concession on the part of Parliament is eminently necessary for the benefit and improvement of the position of women. In relation to their property, the right to which is absolute even in such a country as Russia, much has been done; but it took a quarter of a century's fighting to do it, and there are anomalies which still remain to be removed. No doubt Parliament has been rather generous; in some respects even too gallant, for it has given women their property and left men their debts. Perhaps a little prudent administration in this

House—perhaps the expression of the wishes of women from their own point of view—may lead us to be a little more cautious in relation to legislation of that description. In regard to the guardianship of children and the protection of homes something has been done; but the Bill in relation to the former was greatly modified in its passage through the House, and there is still room for much improvement. In education men have taken the endowments in a very great measure, and have left little for women. There, again, there have been improvements, but there is still much to do in opening the older Universities, in establishing new ones—as in London—in the work of University extension, in supplying the dearth of teachers, and in technical and industrial training for the army of women who have to earn their own livings and fight their own battle in life. Yet women, despite difficulty and disability, have shown themselves highly capable in all the records of human thought and achievement. The percentage of rejections at the first examination of the University of London, which is close and severe, shows that women fulfil the test quite as well as men competitors; and therefore I need no longer, seeing what has been accomplished, point to those great exceptional cases, which have been sneered at, but which have been the triumphs of the few for the benefit of the many, and which have opened the door for the vast numbers that have followed in their wake. Then the Laws of Divorce, which were discussed here only last night, are still unequal, and women's views could well be expressed upon them with advantage. There is the perennial question of the deceased wife's sister, and intermingled with her the deceased husband's brother. We hear much of the one, but little of the other. Breach of promise of marriage has been proposed to be abolished, but women's Petitions have been presented against it. Surely one of their direct Representatives might be allowed to express his views upon that subject. In relation to the great question of the land, the House, perhaps, hardly realises how many landlords are in the unfortunate position of having lost their

husbands, and yet are carrying on their farms, employing numbers of labourers who have votes, while they, though more qualified in every respect, have none, simply and only because they are women! Few know how many women are farmers and graziers—some 20,000—and few, perhaps, realise that the agricultural interest loses through this cause something like 140,000 votes. On questions of the home from which springs the nation; of the sanitation of the house and workshop; of the improvement of the social condition of the people in relation to vaccination, sanitary matters, the Poor Law, the *status* of women in relation to industry and trade, as to the hours of work in factories and shops, and the legislation which must follow the result of the Royal Commission on Labour, in which women are very deeply interested; on the question of payment of Members of Parliament to which they will have to contribute, but upon which they are not to be heard; women have not, but ought to have a voice through their Representatives in Parliament. Surely these are considerations which would appeal strongly to this House to confer the vote which we ask it to confer upon women. It may be said, finally, as has been said by my hon. Friend opposite, that this vote is beyond the sphere of women's intelligence and knowledge of politics. It is not necessary that women should know—it is not possible that they—or we—or anyone—can know the whole range of politics at the present time. It is not required that women should know all the details of every political subject: what we ask is only that they should be permitted to choose some representative who would be able to consider these matters, and record their views on their behalf. Yet my hon. Friend opposite seriously proposes to apply to women a fancy franchise test which is above even that applied to mankind. He says, "What do they know about Fair Trade?" Of course, they are 'fair'-traders if they are in trade at all. He says, "What do they know about proportional representation?" Why, who knows anything about proportional representation?—except the right hon. Member for Bodmin (Mr. Courtney). How, he asks, can women understand the

mysteries of bi-metallism? Why, that is a subject no man can understand. And that is the sort of test the hon. Member for Flintshire (Mr. S. Smith) proposes by his letters to apply to women! I think that is carrying the argument much too far. What women can, and do, understand better than men can understand for them is their own interests, which is the only justification of a wide suffrage. There are some subjects to which they can contribute, perhaps, more than any others—namely, a practical view of those social questions, mostly the subjects of the day, in which their experience would be most useful, while without it Parliament is not fully competent to solve such problems. I am sure I have trespassed far too long upon the attention of the House; but I feel that this is a very proper and safe development of the principle of the franchise, and I ask it on behalf of qualified women, for reasons which may be stated finally in a very few words. They are: That it will be an advantage for women themselves by securing the expression of their views from their own standpoint, and through those who may be entrusted with the safeguarding of their interests, for political influence is the only guarantee of legislative justice. It will raise, as we believe, the general moral and intellectual tone of society, and even conduce to a more advanced position than that which women, by their own efforts, have already occupied. We believe, too, that it will be of advantage to Parliament, because it is undesirable that Parliament should fail in the expression of the views of any large portion of the community, or of the thought and industry of any part of the population. And, lastly, we acknowledge that, after all, the object of legislation should be—as we believe would be the achievement of this Bill—good government. We believe that if we give the vote to women it will contribute to that good government; and at least that it will save them from misgovernment. And that being so, we say that this Bill will, as a whole, be of advantage to the community; and though it may not do all that may be desired by some, it would undoubtedly accom-

plish much for many, and we confidently ask Parliament to sanction that which we believe to be justified by considerations of justice, experience, and expediency.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir A. Rollit.*)

*(4.15.) MR. S. SMITH (Flintshire): In rising to move the rejection of this Bill, I wish to pay my tribute of respect to my hon. Colleague. I have listened with great interest to his speech, and I think I may say with truth that I never heard the case of women put forward in a more fair and reasonable manner. I wish also to say that I entertain a very deep respect for the purity of the motives of those who are the leaders in this movement. I believe they have a deep and earnest desire to raise the position of women, and that they believe the franchise to be the most potent instrument for so doing. This movement represents a great amount of genuine philanthropy, and has secured the support of many of the best men and women of the country. It deserves to be treated with great respect not only from the purity of their motives, but for the great ability of its advocates; and I hope that I shall use no arguments against it which are not both honest and respectful to my opponents. I conceive that no issue of equal importance has been submitted to Parliament in our time. This measure, if passed, will carry consequences far-reaching and momentous—consequences which none here can adequately realise. I readily admit there is weight in the arguments in favour of the measure; but I hope to convince the House that there is still greater weight in the arguments against it. I will make the admission that the Bill now before us gives the irreducible minimum of women's demands; it professes only to give the Parliamentary franchise to those women who already possess it for Municipal and County Councils. It excludes lodgers and the service franchise. The hon. Gentleman says that it will enfranchise one million voters. I thought, from such investigation as I have been able to make, that the

number it would enfranchise would lie between 800,000 and 900,000.

SIR A. ROLLIT: That is, strictly, more accurate.

*MR. S. SMITH: I am glad of that explanation. It professes to give the Parliamentary franchise to 800,000 or 900,000 female householders in the United Kingdom, who are nearly all spinsters or widows; and I will allow that, if this concession would finally settle the question, there is much to be said for it. No doubt it seems rather illogical to give the franchise for Local Government and not for Imperial purposes, but I remind those who think this to be conclusive that the admission of women to local franchises was very much the result of an accident. It was never properly discussed in this House, and no one foresaw at the time how it would be used as a lever to obtain Parliamentary franchise. Had this been foreseen I doubt whether this women's local franchise would have been given, or this agitation have attained its present proportions. There is, however, an enormous difference between the two franchises. The local franchise is a very limited one, and for objects strictly defined by Act of Parliament; then, the local franchise may be altered or cancelled as Parliament thinks right. Besides, Local Bodies possess merely administrative and no law-making powers, but the Imperial Parliament possesses absolute authority over the lives and property of all within the realm, and indirectly governs 300 millions of people outside the United Kingdom. No Legislative Body that I know of possesses such unlimited powers as the British Parliament. The Legislature in the United States is bound and limited by the written Constitution; and if it act *ultra vires* can be called to account by the Supreme Court, and its decisions nullified. All the Legislatures in the British Colonies are more or less restrained by statutory obligations, but the British Parliament is as absolute as the Czar of all the Russias, and nothing but the practical good sense of the people prevents it becoming an instrument of tyranny. But the electors are the makers of Parliament; therefore, in the last resort they wield this tremendous power, and no nation

was ever so dependent upon a practised and trained electorate. The case for Parliamentary franchise is, therefore, altogether different from that of a local one, and must be justified by far more weighty arguments. The attention of the House should be called to the fact that the previous Female Franchise Bills introduced were altogether different to this one; they claimed that—

“For all purposes of, and incidental to, the voting for Members to serve in Parliament, women shall have the same rights as men, and all enactments relating to or concerned in such elections shall be construed accordingly.”

Another Bill goes even further. It claims that—

“No person shall be disqualified from being elected to, or from filling or holding, any office or position merely by reason that such person is a woman, or being a woman is under coverture.”

That is to say, women are to be eligible to sit in Parliament, to hold office under the Crown as Ministers of State, to become Judges, Bishops, or even Commanders of the Forces. Now, I want to know whether the advocates of female suffrage, in this House or out of it, have abandoned these claims in favour of the more moderate proposals of the Bill now before us? I believe that, with one voice, all the leaders of this agitation will claim absolute equality as between men and women; this is the goal at which they are aiming, and nothing less will satisfy them. Most of those who will vote for this Bill intend at the first opportunity to widen it so as to equalise the franchise as between men and women; and should Parliament pass this Bill, what will be our position at the first General Election at which women vote? The country will be overrun with female orators inciting women to remove the stigma placed on their sex; the 800,000 or 900,000 female electors will be urged to vote only for those candidates who will promise to put men and women on an equal footing; they will be told that we make marriage a disqualification, and so insult all married women; and it will be found that hardly a candidate will refuse the pledge, for in almost every constituency the large female vote will turn the scale. There is not one trained politician in this

House who does not know that the grant of the franchise claimed by this Bill will necessitate in the following Parliament the further grant of absolute political equality as between men and women. That must mean before very long universal suffrage of both men and women. Those who read the signs of the times know well that manhood suffrage must arrive here as it has done everywhere else. I do not wish to see it. I believe that most Members here do not wish to see it; yet it will come by the force of the *Zeitgeist*—that spirit of the age which carries all before it; and as sure as it comes will womanhood suffrage come along with it; and the world will see the first instance in history of a great Empire ruled by women, for, as everyone knows, women largely preponderate in number. It may be estimated that when allowance is made for the far larger number of men who are from home—as soldiers, sailors, and in other capacities—the available woman vote under universal suffrage will exceed that of men by about one million, or ten per cent. No one who has watched this agitation can doubt that women will then claim and enforce their right to sit in Parliament, and we shall then see not only the Mrs. Fawcetts and the Miss Cobdens of the future, but the Mrs. Besants and the Miss Helen Taylors sitting on these Benches. I cannot comprehend the mental altitude of those who say we should only look at the first step we take, and shut our eyes to its inevitable consequences; as well might a man drive a coach down a steep incline with a precipice at the bottom, and say that he had no business to consider the precipice. I insist that the House should view this question as a whole, and not be deceived into swallowing in separate doses what it would reject if given as a single draught. Consider the vastness of the change that is proposed. Our electorate at present consists of about six millions of men, nearly all householders and heads of families; it will ultimately become, if this Bill passes into law, twenty millions of persons, of which increased numbers between nine and ten millions will be men and between ten and eleven millions women. What will be the qualifications of this

large mass? When were such responsible duties entrusted to such an incompetent body? Never since the world began. Many of the men are ignorant enough, and the risks run from nine or ten millions of male electors would not be small; but if you add ten or eleven millions of women, it would be overwhelming. Men, as a rule, gain a rough experience of the world; they mix in workshops and clubs, and discuss the politics of the day, and in a rough sort of way make up their minds on the current topics. Nearly all of them read newspapers and attend public meetings, but how few women have either the taste or opportunity of doing this? How few women take an interest in politics, or read speeches, or attend meetings? It is doubtful whether out of the ten or eleven millions of adult women even one million ever read a political speech, or care the least about politics. What are the vast majority of these women? Several millions of them are wives and mothers; the great majority of them are wives of working men, struggling with families of small children from early morning till late at night, utterly unable to study the complicated questions which come before Parliament. What they do read is mostly the religious serial, or the cheap novel, and it is impossible for them to frequent clubs and public meetings without ruin to their children. Of the women who are not married the vast majority are domestic servants, shop girls, factory girls, sempstresses, barmmaids, &c., and I ask this House what knowledge of politics do they possess? If a census could be taken of their reading, I verily believe that not one in ten would be found ever to read a speech or care a rush about politics. The clever political women who really study politics are a mere handful, perhaps not one per cent. of the whole women of this country, and for their sakes we are asked to revolutionise our Government. In arguing this question we have to deal with women in the mass, as with men in the mass. It is no valid argument to say that it is a shame to deny the franchise to a clever intelligent lady, and give it to her coachman or her butler. That is not the question before us. The real question is whether women as a whole are

as fit to exercise the franchise as men as a whole, and I deny that they are, or can ever be. But we are told that political education follows the gift of the franchise, and that just as the agricultural labourer is learning politics because he now can vote, so his wife and daughters will equally learn as soon as they get the vote. I hold that this is one of those half truths more dangerous than whole errors. Men as a class naturally take to politics when they get a chance; but women will not, because the bent of their minds is different. They live—that is, the great bulk of them do—by the heart more than the head, and the enfranchised servant girl will continue to prefer the novelette to the *Times* or the *Daily News*. There are certain professions and occupations that women can never fill so well as men. They never will make soldiers, or sailors, or policemen, or Judges, or clergymen, though there are occasionally women who can do all those things; and they will never become politicians, because their minds recoil from it. I claim in support of my views the great father of modern Radicalism, Jeremy Bentham. That illustrious philosopher, whose writings have coloured the entire legislation of this century, decides against giving the franchise to women. The House would probably like to hear his acute estimate of the relative capacity of the sexes; a more just estimate could not be given of their respective characteristics—

“The sensibility of women seems to be greater than that of men. Their health is more delicate. They are generally inferior in strength of body, knowledge, the intellectual faculties, and firmness of soul. Their moral and religious sensibility is more lively; sympathies and antipathies have a greater empire over them. The religion of a woman more easily deviates towards superstition—that is, towards minute observances. Her affections for her own children are stronger during their whole life, and especially during their early youth. Women are more compassionate for the sufferings of those they see; and the very pains they take to relieve them form a new bond of attachment. But their benevolence is locked up in a narrower circle, and is less governed by the principle of utility. It is rare that they embrace in their affections the well-being of their country much less that of mankind; and the interest which they take in a Party depends almost always upon some private sympathy. There enters into all their attachments and antipathies more of caprice and imagination; while men have more regard

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to personal interests or public utility. Their habitual amusements are more quiet and sedentary. On the whole, woman is better fitted for the family, and man for matters out of doors. The domestic economy is best placed in the hands of the women; the principal management of affairs in those of the men."

What is this but an expansion of Milton's well-known lines—

"For contemplation he and valour form'd :
For softness she, and sweet attractive grace :
He for God only, she for God in him ?"

Our opponents do us the great injustice of thinking that we underrate women's powers, and disparage their character. So far from that, I freely admit that women possess a finer organisation than men—they are more affectionate and unselfish, and, generally speaking, more moral and religious; but I hold that if we wish to preserve these beautiful traits of character, we must not unsex them. We must not force them into an unnatural competition with men, and endanger the real virtues they possess in pursuit of Utopias. Let me remind the House that this agitation in its essence contemplates not merely political equality, but absolute equality between the sexes in all the relations of life. Some of the leaders of this movement take strong objections to the existing Marriage Law and the relation of the sexes as laid down in Scripture and upheld by all branches of the Church. Mrs. Fawcett, in a manifesto she has recently issued, repudiates the authority of St. Paul on this question. She says—

"Much, therefore, of St. Paul's teaching about the position of women and other social matters is not accepted by any Christian Church as a practical guide for conduct at the present time."

Many of the leaders of this movement resent the Marriage Service of the Church of England where the woman responds in the affirmative to the following question :—

"Wilt thou have this man to be thy wedded husband, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou obey him, and serve him, love, honour, and keep him in sickness and in health; and, forsaking all other, keep thee only unto him, so long as ye both shall live?"

This form of service is based upon the most express statements of Holy Scripture. From beginning to end the

Bible teaches in the most explicit form the subordination of woman to man, especially in the marriage state.

"The husband is the head of the wife, as Christ is the Head of the Church"

is the uniform language of Scripture, repeated in one form or another hundreds of times. Could a greater calamity befall the human race than to undermine this sacred institution? I much doubt that with female franchise will arise an agitation for substituting perfect equality as between husband and wife, and, should that be successful, a time of social chaos would ensue. Since the time of John Stuart Mill, who repudiated the marriage law of the New Testament, an agitation has arisen for what is called the emancipation of women. I look with dread upon this movement. It is at bottom directed against those organic laws for the guidance of the sexes which the Creator has laid down. Europe has had one instance of the effects of the emancipation of women from those natural restraints which God and Nature have placed upon them. In the most corrupt times of the Roman Empire there was a movement for absolute equality between the sexes, and all laws were repealed which recognised any superiority on the part of man. Will the House allow me to quote an extract from the great historian Gibbon, showing the effects of this legislation?

"When the Roman matrons became the equal and voluntary companions of their lords, a new jurisprudence was introduced that marriage, like other partnerships, might be dissolved by the abdication of one of the associates. In three centuries of prosperity and corruption this principle was enlarged to frequent practice and pernicious abuse. Passion, interest, or caprice suggested daily motives for the dissolution of a marriage: a word, a sign, a message, a letter, the mandate of a freedman declared the separation; the most tender of human connections was degraded to a transient society of profit or pleasure."

Under this state of things it was not unusual for a wife to have 20 husbands in succession, and a husband as many wives. I must express my deepest conviction that it is perilous in the last degree to tamper with those Divine laws which govern the relations of the sexes. Out of this movement for absolute political equality between

men and women may develop at a later date another movement to replace the marriage law of Christianity by one giving absolute equality to the wife; and I much fear that experiments may be tried which will not tend to the welfare of mankind. No one can doubt that John Stuart Mill aimed at something of this kind, and he may be said to be the father of this movement for women's suffrage. It may be granted that the great majority of those who are moving in this matter have not at present the slightest wish for such changes, but my argument is that they are feeding a movement which contains them in its bosom, and out of which they will ultimately grow. Another argument to be considered is this, and I appeal to hon. Gentlemen in this House who are historians. I see the Leader of the House in his place, and as I know he is one who studies human nature very closely, I wish to lay before the right hon. Gentleman the circumstance that universal history is opposed to the movement; no free country in the world has ever tried the experiment. I am not one of those who decry the formula *quod semper, quod ubique, quod ab omnibus*. They take a tremendous responsibility who deride the universal experience of mankind. The Mover of this Bill faintly shadowed some attempt in the historical past in which women were allowed to vote. I have never come across it, and I imagine it never assumed importance. My hon. Friend (Sir A. Rollit) has made a great deal of one little experiment tried in that remote territory called Wyoming. As regards Wyoming, I admit the testimony is conflicting, and I quite admit that there are some who give a good account of its operation. But I am going to ask the House to listen to the opinion of the hon. Member for Aberdeen. This newly formed State on the outskirts of civilisation does duty at every women's franchise meeting. It got female franchise by an accident when its population—now 60,000, or about one-thousandth part the population of the United States—was a few thousands, yet none of the other 43 States in the Union have followed its example, or seem likely to do so. It stands alone. As to its working there

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my hon. Friend (Mr. Bryce), in his standard book on the American Commonwealth, the best and ablest ever written, says—

"As regards Wyoming alone the experiment has been longest at work both as regards full suffrage and jury service. The balance of such evidence as I could collect seems to be unfavourable."

He quotes from one of his most trustworthy authorities as follows:—

"After the first excitement is over it is impossible to get respectable women out to vote except every two or three years on some purely emotional question, like prohibition or other temperance legislation. The effect on family life seem to be nil, certainly not bad, but after a year or two it is found that the women of the worst classes are those that most regularly go to the polls."

As to the general feeling of the United States on the subject, Mr. Bryce writes—

"There is a widespread apprehension that to bring women into politics might lower their social position, diminish men's deference for them, harden and roughen them, and, as it is expressed, 'brush the bloom off the flowers.' This feeling is at least as strong among women as among men. Of the many American ladies whose opinion I inquired, the enormous majority expressed themselves hostile."

The House will allow that the United States is the most Democratic Republic in existence; the one where human rights are most fully acknowledged; yet it is undoubted that its judgment is quite against women's suffrage; and the same is true of all other existing Republics—such, for instance, as France and Switzerland. Yet in all those countries the problems of life are far simpler than with us. They could make experiments with much less danger. No country ever had so complicated a system of government as ours, with such prodigious duties and responsibilities cast upon it; and surely common-sense would indicate that we should not be the first to turn upside down the experience of humanity for thousand of years. If this revolutionary change is to take place let it be tried by some other countries first, and let us profit by their experience. One strange feature of this movement is that it is most favoured by the Conservative Party. ("No.") My hon. Friend says "No," but I think the voting to day will show that I am right. The Conservative Party once made what was

called "a leap in the dark," but that leap is nothing compared to this. One would think that all their traditions were opposed to such leaps in the dark. The motive which probably influences them is the belief that women are more Conservative than men. This may be true as regards the upper classes, and perhaps as regards the majority of the women householders; but let me ask hon. Gentlemen opposite if by their means the upper tier of women, if I may use the expression, are enfranchised and add to the strength of their Party, how long would it be till the Liberal Party sought a counterpoise by emancipating a lower stratum? My own belief is that neither of our great historical Parties will derive strength from the enfranchisement of women. If I might venture a prediction, there are two movements which will be powerfully re-inforced by female suffrage, the one is Clericalism and the other Socialism. In Roman Catholic countries womanhood suffrage would mean the undisputed sway of the priests. In France, Italy, and I think I may say the Catholic part of Ireland, the women would vote as their Father Confessors directed them, and the Pope's supremacy would be made absolute, not merely in the realm of religion, but in that of politics as well. Is that a result which Members of this House, even of the Roman Catholic Communion, would regard with satisfaction? In Ireland you would give undisputed control to the priests.

MR. T. W. RUSSELL (Tyrone, S.): They have got it now.

*MR. S. SMITH: I would ask the hon. Member for Tyrone (Mr. T. W. Russell), whether three-quarters of Ireland would not be completely under the sway of the Roman Catholic priests?

MR. T. W. RUSSELL: Just as now with the men—absolutely.

*MR. S. SMITH: As to that, I do not agree with my hon. Friend at all. In Protestant countries, like Great Britain, clerical influence would be less, still it would be considerable. This cannot recommend female suffrage to the Liberal and Radical sections of the House; but it may not dismay the Conservative Party. Let

me, however, point out that in England at least womanhood suffrage would emancipate masses of women utterly impervious to clerical influences, but very amenable to the politics of John Burns, Ben Tillett, and Mrs. Besant. The programme of the Fabian Society would have immense charms for millions of sempstresses, factory girls, domestic servants, and working men's wives. It is entirely a matter of speculation; but I cannot help thinking that we should see Representatives of the strongest opinions sent to this House under such a suffrage. A Socialist party led by Ben Tillett and Mrs. Besant would not add to the dignity of this House, or make the government of our vast Empire an easy matter. In many political questions the truth may be said to lie at the bottom of a well. The superficial fallacy is far more attractive than the sound deductions of experience. Long controversies, like Free Trade, have been settled by hard and close argument protracted for a generation. How do you know that those settlements may not be reversed when submitted again to the verdict of a preponderating female vote, intensely and hopelessly ignorant of the issues involved. No one could be certain that a single result of centuries of experience, whether political, financial, or commercial, could stand the test of so entire a revolution of political power. Everything would be thrown afresh into the melting pot, and no human being could predict what would emerge from the chaldron. But my main objection to this and all similar Bills is my dread of its effects on the home life of the nation. I hope the House will weigh well the pregnant words of the right hon. Member for Midlothian—

"I am not without the fear lest, beginning with the State, we should eventually be found to have intruded into what is yet more fundamental and more sacred, the precinct of the family, and should dislocate or injuriously modify the relations of domestic life."

I believe those words are perfectly true, and they weigh more with me than all other objections combined. A peaceful and pure home life is the true foundation of all national well-being. That happy home life can only be found when wives and mothers make the family the centre of their being. All

that tends to draw them from this is pernicious. The outside attractions are already too strong in this restless age. Why add to them enormously by pushing women into the maelstrom of politics? Already there is a dangerous disinclination to marriage among young men. The decline in the marriage rate is an ominous feature of the times. For the decade ending 1860 it was 16·9 per thousand annually, for the decade ending 1890 it was only 14·9, being a decline of twelve and a-half per cent. I much fear that under womanhood suffrage a still further decline will occur. Most men hate a noisy, turbulent, home life; they do not wish wives that claim equality, and fight for their rights. A silent distaste for marriage might be one of the results of what is falsely called the emancipation of women. I say that it is falsely so called, for it is really a diversion of women from their natural sphere of wifehood and motherhood. I believe the ultimate effect of pushing them in the maelstrom of politics will be to produce an increasing silent distaste for married life, with all the enormous evils accompanying it. I must apologise for having detained the House so long, and wish to say, in conclusion, that the vast majority of the women of this country do not want the franchise or care one pin about it; the active spirits of this movement are a mere handful; and it would be a strange thing, as Mr. Gladstone well shows in his weighty letter on this subject, were we to confer a franchise which most of the recipients did not value. Those women who care for politics are already free to exercise their gifts in every way they choose, except going to the poll. In no country are women accorded greater liberty than here, nowhere do they use the Press and the platform more freely. Some of them have splendid gifts; and no one grudges them a sphere for their use; but why should they insist on forcing the franchise on their unwilling sisters? A clever woman can wield a thousand times more influence by speech and writings than by a vote. Remember, that when once given it will be difficult for any woman to abstain; she will be canvassed incessantly, and get no peace till she pledges her-

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self. And elections will be far more frequent in the future than in the past. In the United States they are, and it will be the same here as Democracy progresses. Fancy a wife receiving a crowd of canvassers in her husband's absence, and probably going with her political associates to one meeting, and her husband to another. How long would domestic life stand such a strain? I ask the House to pause before taking this terrible leap in the dark. It is the most revolutionary proposal of our time. If it prove a mistake it will be irretrievable; once given it cannot be reversed. In my judgment, it will be the commencement of national decline. In any case, it is a desperate experiment. We have too much at stake to make rash experiments. We are trustees for the greatest Empire the world ever saw, and we cannot afford to sap its foundations by reckless innovations. I beg to move the Bill be read this day six months.

***SIR W. B. BARTTELOT** (Sussex, North West), in seconding the Amendment, said: Mr. Speaker, I wish to make a few remarks upon perhaps the most important question that could possibly be brought before the House of Commons. I give all those who may advocate this measure every credit for the feelings which they may possess, believing, as they do, that they are simply going to do justice to the women of this country. But I must point out, and point out most distinctly, that before even those who are most anxious for the passing of this measure can arrive at a satisfactory conclusion, far more trouble should be taken to find out what the views and opinions of women are with regard to this question. My hon. Friend the Member for South Islington (Sir A. Rollit) introduced this Bill in a most moderate and fair speech, bringing forward all those arguments which lay within his reach, and stating many things which are no doubt absolutely correct, but at the same time leaving out a great number of things that he should have introduced. I will ask the House whether, supposing this Bill, which is called a moderate measure, is passed into law, they think they are going to stop there; and whether, having started the ball rolling, they will not find it increases

its pace; and whether, before very long, we shall not only have all the widows and spinsters with votes, but whether we shall not find married women asking to have votes also, especially those with property? And when we get there, what will be the next thing? We have a right to look ahead, and not be guided by present circumstances alone. Our bounden duty is to see what the eventual consequences of a measure of this kind will be. Manhood suffrage may, and very likely will, be given at some future time, and we shall then find, in the case of this Bill being passed, that womanhood suffrage cannot be neglected. The result would be more women voters than men voters, and I should like to ask the House what the position of this great country would be if placed in that peculiar position? Well, Sir, I, for one, feel strongly on this question. I have talked to many ladies about it. I may also say I have taken part in nearly every Division upon the question. I am sorry to see that my right hon. and learned Friend the Member for Bury (Sir H. James) has gone out, because I was going to say that I have never listened to speeches that have impressed me more than the speeches of my right hon. and learned Friend. He has clearly pointed out that there is something far beyond what is contained in this small Bill now before us, and the difficulties and responsibilities of citizenship which a woman will acquire if she gets the franchise. What I should like to ask the House is, How can she perform all the duties and bear all the responsibilities men are called upon to undertake? I will venture to say that such can never be the case. Another thing I should like to point out is that those who feel that woman, having got the franchise, would not advocate coming into this House, are miserably mistaken, and even you, Mr. Speaker, might have an opponent in a lady, supposing women were admitted to this House. And I will venture to say that we should infinitely prefer to have one with your sound judgment and unbiased mind, and one whom we can most thoroughly trust. Although there may be some women masculine in all their ways, yet the majority of women—those loving and sympathetic women

whom we all so much respect and admire—we have to protect, and I, for one, will not place upon them a burden they are unfit and unable to bear. I have said that womanhood suffrage will be asked for if manhood suffrage is given. Look at the meeting held last night. A Resolution was put forward there calling what is proposed to be granted by the Bill now before the House class legislation, and asking that it should be extended and that every woman should have a vote. Well, so long as I feel I am in the right, and that I am acting in the best interests of the country, I will never pander to these views from whomsoever they may come, and whatever form the Bill introducing them may take. I am afraid I am speaking strongly upon this question, but my excuse is that I feel strongly upon it. I am not going to detain the House at any great length, but I may say that I read with the greatest interest the letter of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone), and I will take the liberty of reading one particular paragraph of that letter, because I think it is one we should bear in mind in considering this great question. The right hon. Gentleman says—

“There are very special reasons for circumspection in this particular case. There has never, within my knowledge, been a case in which the franchise has been extended to a large body of persons generally indifferent about receiving it. But here, in addition to a widespread indifference, there is on the part of large numbers of women who have considered the matter for themselves the most positive objection and strong disapprobation. Is it not clear to every unbiassed mind that before forcing on them what they conceive to be a fundamental change in their whole social function, that is to say, in their Providential calling, at least it should be ascertained that the womanly mind of the country, at present so largely strange to the subject, is in overwhelming proportion, and with deliberate purpose, set upon securing it?”

I will venture to say that my hon. Friend (Mr. S. Smith) who moved the rejection of this Bill was absolutely correct in stating that a large proportion of the women of this country are against receiving the franchise. Well, let us look for a moment at one point which has never been mentioned, but which I hope will be carefully considered. You are going to put women in antagonism with men. That is a

very serious question to be borne in mind. You are going to put them in a relation of life which we have been taught should never exist. They are going to be put in the position of men, and very likely, if the wife is of a different opinion from her husband, the most unpleasant consequences may ensue in that particular family. In this House you shut the ladies up with a grill before them, and do not allow them to look at you if it can be helped, in order that your attention should not be distracted. Do you suppose for a moment that if the ladies got the vote they would not claim to be in the other Gallery, and indeed in every part of the House where strangers are now allowed to sit? These are small considerations for the moment, but they are considerations that deserve serious thought. But, Sir, there is something much more important than this. I should like to ask the House whether they think women would be the most fitting persons to manage this great Empire in times of danger, of anxiety, of panic, and of trouble of all sorts. Well, I will only say that, as far as I can judge, it would be most unwise, and a terrible thing to place them in that position. The real question before us does not require to be elaborated by me. It has been well elaborated by my hon. Friend who moved the rejection of this Bill. It will be unfair of me to go too much into this question, as there are many who wish to speak upon it, but there are three considerations which I think I might mention. The first is the social question, and I will venture to say this is the most important matter for every Member of this House to consider. Whether it will be for the happiness of women to have all the privileges some are asking for is not for me to say. But this much I will say: What would you think of a woman—and we all know there are women of that class—who would leave their families and all they hold most dear and sacred and go into the public arena, and make speeches, and take part in questions about which, perhaps, they know little or nothing? The second consideration is the Parliamentary question. That I certainly need not go into; but, believe me,

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they will never be satisfied if they do not have all the privileges we men now enjoy as Members of this House. But there is something beyond that, and that is the great constitutional question; and looking at that question as a whole, I say what can be more unwise than to place the future destinies of this country in their hands? The hon. Member (Mr. S. Smith) has said that with womanhood suffrage and manhood suffrage there would be 10,500,000 women with votes, as against only 9,500,000 of men voters. I will ask the House to consider what position this country would be in if at any great crisis, with, perhaps, peace and war trembling in the balance, we had to depend upon the vote of the women of this country. Well, Sir, I will not go any further into this question. I should like, however, to say that, taking women as a whole, we all know and acknowledge the useful work they are doing from one end of England to the other. Talking of that useful work, I am reminded of a story which I think I may mention, the lady being in favour of the Bill. A very pretty widow lady wrote to a Member of this House, and she said—

"I cannot sit down and knit, and I do not like visiting the poor. I must do something, and, I think, therefore, your Bill will be a great help to me; and I should like to enter into that sort of life if this Bill will give me the opportunity."

That, I believe, is not the view of the large majority of the women of this country. They have other duties to perform, and they know it, and they perform them to the satisfaction of those to whom they are united. All I can say is that if you pass this Bill you will place women in a position for which they are unfitted, and I believe the effect would be most mischievous to women themselves.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(Mr. S. Smith.)

Question proposed, "That the word 'now' stand part of the Question."

*(3.1.) Mr. WOODALL (Hanley): Those who, like myself, have had any responsibility for the Parliamentary con-

duct of this question must feel that great service has been rendered to it to-day by the very admirable manner in which it has been presented to the House by the hon. Member for South Islington (Sir A. Rollit). I offer him that acknowledgment the more readily, because, as he knows perfectly well, I have myself felt that after the disastrous defeat last Session, and because of the fact that this moribund Parliament is on the eve of Dissolution, the raising of the question at the present moment is so inopportune that I declined to take the responsibility of it. But as the question has been raised I shall have no hesitation in following my hon. Friend into the Lobby in support of the Second Reading. We are confronted by an extraordinary combination of forces against this Bill, and I cannot but feel that this is an acknowledgment of the meritorious position which has been reached, and as a testimony for which, perhaps, we ought to be most grateful that we have passed out of the region of abstract discussion, and that the question is now recognised by all parties concerned as a measure of practical politics. We have been reminded to-day of divisions and dissensions in the ranks of the supporters of woman suffrage, and reference has been more than once made to a particular meeting last night. I regret exceedingly that anything should have occurred to give force to the argument of dissension; but if we recollect previous movements for the enfranchisement of the people, I think it will be remembered that they have all been accompanied by trouble of a similar kind. Those of us who can remember the struggles for household suffrage know how we were then hampered, and our task made infinitely more difficult by the more extreme advocates of universal suffrage. I regard the Bill now before the House as excellently devised, amongst other reasons, from the fact that it is another step towards a universal register. In the making up of an ordinary register women are left on for local purposes, and subsequently eliminated from the register for Parliamentary purposes; and I say that in that respect, as in many others my hon. Friend has been happy in the form in which he

has drafted this Bill. We have listened to an extremely interesting speech from the hon. Member for Flintshire (Mr. S. Smith), in the course of which he protested that it was unwise to prophesy; but surely no speech has ever been delivered in this House which was so full of prophecy and of dolorous prediction, and three times he warned us against taking a leap in the dark. As I listened to him it appeared as if he had been living for some time past upon the literature of the discussions on former measures of enfranchisement. The measure conferring the franchise upon the working men in the boroughs was opposed on both sides of the House. It was opposed on one side by the extreme friends of manhood suffrage because it did not go far enough; and by those who feared the measure and disliked it, it was opposed in the same sense in which my hon. Friend has spoken to-day as an indication of the danger of the thin edge of the wedge, as a step in the direction of manhood suffrage, from which I think we are as far off to-day as we were then. In the speech of the hon. Baronet who preceded me the arguments against this measure were stated with great force; but I am bound to say, with all respect, that none of these arguments are new. We are told, for instance, that many women would protest against a measure which would expose them to some inconvenience. My hon. Friend reminded the House that in the discussion with regard to the abolition of slavery it was contended that the negroes themselves did not desire the liberty which it was proposed to give them; and I think I can recollect the fact that when the proposals were made to confer the franchise upon the agricultural labourers we were assured over and over again that the franchise was undesirable and undesired by them. But we say that there are a large number of women who do desire it, who have petitioned for it, and have given every conceivable testimony of the earnestness of their desire; and why should they be denied that which we insist is right, because a certain number of others, to whom the privilege will be given, are indifferent or hostile? The women in whose interests we are speaking to-day might very well plead

that they are not excused from any of the obligations of citizenship which they are capable of performing. We are warned not to intrude upon the delicacy and purity and refinement of women's lives. But when these arguments are used, it should be remembered how very large a proportion of women citizens have to struggle for their maintenance, to work for their livelihood, to labour under conditions of extreme hardship; they work even in factories, and they are forming associations and combinations very much as men do for the bettering of their condition and improvement of their remuneration. I was astonished to hear the terms in which my hon. Friend spoke in his reference to Mrs. Fawcett, who combated the assertion that what St. Paul wrote in his own day is of equal force now, and whose chief contention was against the apparent preference of the Apostle for celibacy as more honourable than marriage. I wish it were not inconvenient to submit some of the passages Mrs. Fawcett wrote; but perhaps it is sufficient that attention has been called to one of the most admirable and able arguments ever put forward on this question, and I venture to think that Mrs. Fawcett's contention is much stronger and much more practical than that of my hon. Friend. Amongst other things, St. Paul would not suffer women to teach. We have a large army of women workers who are invaluable in our educational work. We find that women are handicapped in every form of industry, in the matter of wages and remuneration. We find their access to the professions impeded by unfair conditions. They have been deprived and defrauded of their fair share of educational privileges and emoluments; and, in truth, what the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) said twenty years ago is nearly as true to-day, that Parliament has dealt with women with less than justice. One of the advantages of the Motion now before the House is that it proposes to confer the franchise upon a class of electors who have gone through an apprenticeship. They certainly cannot be considered inexperienced, and yet I may recall the fact to the House that when we extended the

franchise to the Irish cottiers and the agricultural labourers we gave the vote to a class who had had no experience at all in local voting. But here, on the other hand, we have the advantage of a trained electorate who have been in the habit for a number of years of going steadily, even annually, to the poll, and who probably know the way of marking their paper as well as any of their male friends. The right hon. Gentleman the Member for Midlothian, in a speech he made in 1870 or 1871, admitted that if the Ballot should be adopted by Parliament it would remove one of the most serious difficulties in the way of women taking part in popular elections. I venture to think that our experience of the Ballot Act is that it has introduced a quieter method of taking votes, and that it has fulfilled the expectations which were formed of it. The irony of the situation is that while so many hon. Members hesitate to confer the vote upon women they are willing to have them associated with them in the rough work of political contests, acting on electoral committees, undertaking the work of canvassing, and persuading men how they are to vote, and in the course of which women have displayed the very highest kind of political acumen, almost amounting to that of professional experts. I shall be very sorry to find, in such a Division as that we shall take to-day, the Members of my own political Party less strong in support of this measure than those who sit on the other side of the House. It has always been to the great honour of the Liberal Party to have initiated measures of enfranchisement; and recalling as we do the enormous advances which have been made in that direction, I confess it is a great disappointment that we have not the advantage of the concurrence and vote of the Member for Midlothian. Some of my friends seem to be alarmed at the zeal with which certain hon. Gentlemen opposite are supporting this particular measure of enfranchisement. I can only say, however, that I cannot reproach hon. Gentlemen opposite who may not be in the abstract in favour of the measure for supporting what they think may give them a tactical advantage, any

more than I can approve hon. Members behind me who believe in the justice of the claim, but hesitate to grant it because it may possibly work against them. We admit that a considerable number of the women who would be enfranchised under this Bill have not yet been trained in practical politics; they are still in that respect only the equals of a very large number of the early voters, and in a large degree also of those who have been most recently enfranchised. I should like to ask those hon. Members who say that women do not desire a vote what has been the experience of the use made by women of the vote in municipal affairs? We find that they vote in something like the same proportion as the male voters. Some of my friends fear that the votes of women would be given against them; but cases can be quoted in many parts of the country where the Parliamentary Representative, for whom the women do not vote, is Conservative, whilst the Local Councils are largely Liberal. When one comes to analyse the great programme of Liberal measures on which the Liberal Party is now addressing itself to the country, I cannot but feel that many of those measures of social reform, such as the improvement of the dwellings of the poor, temperance reform, education, and the incidence of taxation are questions which appeal directly to women; and we shall have in them, when the time comes, invaluable allies in forwarding the progress of these measures. We are asking for this Bill for women themselves, not only in order that they may profit by it as the industrial classes and the agricultural labourers have done by the redressing of their grievances through possessing the franchise, but also we claim it for them because it would be an advantage to the whole community and to the best interests of humanity.

(3.20.) MR. BRYCE (Aberdeen, S.): I am very reluctant to address the House, but the question is one of so much gravity that I feel bound to state the reasons for the opinions that I hold. Those opinions are far from being hostile to the claims of women to the fullest social equality and the freest

entrance into all professions and occupations. Perhaps the House will permit me, in order to justify my own position, to say that it is more than 25 years since I began to work in the cause of women's education. I laboured for some years on behalf of the Married Women's Property Act; I had charge for three years of the Bill which ultimately became an Act for extending the rights of women to the guardianship of their children, and I have always advocated the claims of women to a much larger share of educational endowment in connection with schools and Universities. I should like to say that I do not at all associate myself with a good many of the arguments which are used against this measure, and I will say that I think the question whether the same number of women attain to as high intellectual excellence as men has nothing to do with the matter. I believe the intellectual capabilities of women are amply sufficient to put them for purposes of elections on a level with men. I am far from denying that there are many women fit for the franchise. Again, I desire altogether to repudiate the notion that this question cannot be viewed apart from Party consequences. If women have the franchise it must be given them as a measure of justice, irrespective of whether they will vote for Liberals or Tories. We must deal with this question rather more from the political than from the social point of view. It is the political interests of the country that we have to study. My first objection to the proposal is that women do not want the franchise. I am well aware that there are a good many ladies, active politicians, who do desire it. Some of them desire it because they think it will further political or social objects they have at heart—the cause of temperance for instance. Others go further, and look upon it as a step towards complete equality in all things. One lady went so far in conversation with a friend of mine as to say that what we want is to get rid of the English idea of a home. That is a very extreme expression, and I have no doubt goes far beyond the ideas of the advocates of this measure. But, as far as our own observation goes, I think the

women who desire the franchise are a very small minority of the women of the country. We know that Petitions have been presented in favour of this measure, but how many women would be entitled to the franchise? We are dealing now with the enfranchisement of all the women of England, which is more than is contemplated by this measure. At present I suppose there are about eleven millions of women of mature age in this country who would be entitled to the franchise if we came down to womanhood suffrage. What proportion of these have petitioned this House? The percentage could hardly be expressed without going into decimal fractions. Let us take our own personal knowledge, because that is, after all, the only test we can apply to the matter. Let any hon. Member ask himself, out of those ladies whom he knows, how many are in favour of receiving the franchise, and I do not think he will find the number to be more than one in five; and I appeal in aid of my argument to the very remarkable protest published a few years ago in one of the monthly magazines, in which there appeared a number of names of women eminently intellectual, which, I think, far outweighs the authority, high as it is, of the intellectual women brought to bear on behalf of the proposition. Why did these women object to it? Because they thought it would injure their own position. No proof has been given that it will either benefit women or benefit the State. It is not for us to prove that the measure would work ill; it is for the supporters of the measure to prove that it would work some good; and that, I contend, they have utterly failed to do. I have listened to the arguments that have been used in support of the measure, and I find no sufficient ground except the appeal to the fact that women have already exercised the franchise in local affairs without injury to the community. But it is not alleged by my hon. Friend that they have exercised the franchise either with any benefit to the community or to themselves. What are the grounds upon which the franchise has usually been extended? They are mainly two. One was that the Constitution would be

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stronger and the Government more stable if we included the largest possible number of citizens within the boundaries of the Constitution. Nobody argues now that our policy will be any more firmly based if women were admitted to the Parliamentary franchise, or that there is any substantial discontent in connection with an existing disability on the part of women. Therefore, we may dismiss that at once. The other argument is that the interests of no class will be properly enforced and secured by legislation unless that class is represented. I take it, on the whole, that this is the strongest fact which is advanced by those who are in favour of the change; but my objection is that it rests upon the fallacy of assuming that women are a class. Women are not a class. Who are the women of this country? They are our mothers, our sisters, and our wives. They are not a class, but are members of the class to which their husbands, brothers, and sons belong, and their interests are the same. I think there has been some confusion in this matter. My hon. Friend referred just now to the agricultural labourers; they are a class indeed. They had interests which were not the same, and were generally supposed to be opposed to the interests of the farmers and the interests of the landlords; and no one can doubt that the interests of the agricultural labourers have been more carefully regarded by this Parliament than by any previous Parliament, because the labourers now have votes. But the wives and daughters and sisters of agricultural labourers do not form a distinct class, but are part of the same class. Whatever class you take, you will find that the interests of the women belonging to that class are substantially the same as the interests of the men. There is no such antagonism between men and women in this or any other country as makes women a distinct class. I may be told that there is some unjust legislation applied to women in which, their interests being divergent, the interests of women would be better looked after if they had the franchise. How much unjust legislation is there conceived in the interests of men as against the interests of women? There was a Bill before the House last night for

making the English Law of Divorce the same as that of Scotland by establishing equality between the offences of men and women. I voted for that Bill, and I hope it will be passed. I conceive that some people will represent that as a case where the interests of men are opposed to those of women. I do not think it raises that issue. Questions of divorce are of the utmost possible difficulty, and are questions in which the interests of the whole community are involved, and they must not be considered as questions between men and women, and I do not believe Parliament looked upon them in that light. In Scotland that law has existed for 300 years, because the people believed it to be the fairest and most just law. Doubtless there is much to be said against the Divorce Law of the United States, but they have equality between men and women; and in no part of the United States, except Wyoming, do women enjoy the franchise. Therefore, it is not necessary for women to have the franchise to enjoy equal laws. There are other cognate questions, but when they are looked into as a whole they will be found to depend not on the antagonism of men and women, but on social questions of great difficulty on which the most ardent friends of women may hold very different opinions. Then there are some restrictions on the labour of women which do not apply to men, and some hon. Members complain bitterly of the restrictions imposed by legislation on the labour of women, and that they have no voice in determining these restrictions. But these restrictions are not imposed in the interests of men as against women, but in the interests of women themselves, and the feeling of women is divided upon them. So on that point you are not entitled to say that women are a class who require special representation. It is said that in some industrial matters women are exposed to greater disadvantages than men; they get lower wages in some trades and the men's Trade Unions have shown themselves hostile to and have oppressed the women's Trade Unions. I sincerely regret that, but these are matters which legislation cannot deal with; they depend upon the supply of labour and the amount of competition there is. I doubt, Mr.

Speaker, if any considerable grievance is left which can be pointed to as a grievance between men and women which the political power of women is required to remedy. Those who rest their case on this point entirely ignore what has been done for women during the last 25 years. We have had the Married Women's Property Act, the Guardianship of Infants Act—not in so complete a form as I should like, being a believer in the absolute equality of the rights of father and mother—yet in a form to remove four-fifths of the grievances under which they suffered. They have a large share of endowments; they have been admitted to the teaching at the Universities; they are making their way in the professions, and their Trade Unions are making good their position in another direction. When reviewing what has been done in 25 years without the suffrage, I have great confidence that women will get the further privileges and advantages they desire without legislative power, and that the good feeling, justice, and sympathy which has helped them before will in the future have their perfect work. It is said that women would be socially elevated if engaged in political work with men. That is the opinion of my hon. Friend, but others hold a different opinion, and neither he nor I can prove it. So far from believing that women will benefit by politics, or politics be benefited by them, I believe politics will do them more harm than good. Political work is exposed to serious temptations, and there are certain things in the constitution of women which make them more liable to succumb to those temptations than men. I do not lay stress on that part of the argument; but if I am asked to state my opinion, I believe that the participation of women in voting, and that which must follow voting—sitting in this House, and the participation in all the active work of governing—will ultimately lead to a revolution in the social relations of the two sexes which will be not only momentous, but, so far as we can see, disastrous. I come now to the last ground on which I object to this Bill. It is a very bold experiment. It is recommended by certain abstract theories, by certain shadowy notions of

benefits to be conferred on women politically, morally, and socially, by giving them a share in the political work of men. I notice that the common argument used is, Why not? We want something better than a "Why not" in this matter; we want a positive reason. All reforms in the franchise have been introduced to remedy or cure some existing defect in our system, and we have been able to apportion the change we made to the cure we desired to effect. Here we are asked to make this great change on pure abstract theory. There is nothing more pernicious in politics than abstract doctrine, and no worse habit can a country contract than that of yielding to abstract doctrine. Why should we make such an experiment, which can have no other effect than to double our constituencies? This little Bill only proposes to admit about a million women, but we know perfectly well the matter cannot stop there. Many ladies object to the Bill because it refuses the franchise to married women. Why should marriage be made a reason for not granting it? The enfranchisement of all women was supported by strong and even physical arguments at St. James's Hall last night. Shall we not be asked in any future extension of the franchise to men to extend it in like manner to women? We are within measurable distance of manhood suffrage, and I say that for this reason neither Party in the State is much concerned to oppose it; nobody can tell which Party may be benefited by it, and it is as likely as not to come from the Party opposite as from the Party to which I belong. I ask the House to assume that we are within measurable distance of manhood suffrage, and I submit that if you concede that you cannot refuse womanhood suffrage also. The distinction between the suffrage of men as men and the suffrage of women as women is a clear and well-marked distinction, and rests on rational grounds. If we once admit the principle of woman suffrage at all, we put ourselves on an inclined plane on which there is no stopping until we are landed in universal suffrage—manhood and womanhood alike. If I were asked whether I think woman suffrage would work well, and whether the

eleven million adult women in this country—including, of course, domestic servants, who in some London constituencies would form the majority of the voters—are fitted for the franchise, I should reply to the question with an unqualified negative. I should say that in every class of the community women know less about politics than men do; and whatever class of the community my hon. Friend looks to, he will find that the women are immeasurably behind the men in political knowledge and interest. This is no disparagement of women; it results from the circumstances of their lives, in which circumstances the interests of their lives are profoundly bound up. How many of the ladies in our own circles are in the habit of reading the political intelligence in the newspapers, or of going to public meetings? We can in this way see the difference between the political capacity of men in any given class and the present political capacity of women in the same class. I may be told that the franchise will be an education, and that women will rise to the functions given to them. I think that argument has been pushed too far, and I could show instances in which it has completely broken down. Let that education make some progress before we try the experiment. The arguments I have put forward must have some weight, because they are found to prevail in all democratic parts of the world. There are other countries more democratic than ourselves; there is Switzerland, why does she not try it? Why does not democratic France try it? Our Colonies are democratic in the highest degree: why do they not try it? In any of the 44 States of America where there is the most unlimited facility for trying experiments—why has not somebody been trying the experiment? I shall probably be reminded of Wyoming. That is a very interesting little State; it has a population of 60,000 spread over an area nearly double that of England, and the biggest town has only 9,000 inhabitants. Wyoming has adopted woman suffrage, but I do not think that example—which may be compared with Ross and Cromartie—will have much weight with the House. There is another case more in point.

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The State of Washington had woman suffrage for about four years, but when it enacted its Constitution in 1889 it rejected woman suffrage by 35,000 to 16,000. Washington is a wealthy and flourishing State with a population of 350,000, and I think that example will have more weight on one side than Wyoming will have on the other. I feel some little doubt as to prediction in this matter; I do not associate myself with the predictions of my hon. Friend, for the results in changes of this kind are often totally unlike those we expect. I think every Member of the House will admit that as this experiment may probably result in the addition of eleven millions to the electorate it is a very large experiment, from which great results may be expected, and which nobody can say would not affect the government of the country. This is an experiment so large and bold that it ought to be tried by some other country first. I am bound to say we have made changes enough of late in the franchise. We enlarged it in 1867, and again in 1885; let us wait a little while before we make another change. There is, I believe, a very large and momentous change, which is dictated to us by the highest considerations of public policy, which we shall have to enter on in the next Parliament, and which will affect the Constitution of the three Kingdoms. We have the prospect of a period of passionate controversy over these proposals of change; and I cannot think, with this prospect before us, that this is a very happy time to embark on so bold an experiment. I will appeal even to those who are in favour of the proposal to let us wait until the weather is a little more settled before they ask us to launch out into an unknown sea.

(3.50.) MR. WYNDHAM (Dover): The hon. Gentleman has dissociated himself from the gloomy prophecies uttered by those who have preceded him in the Debate, and he does not join in the sheer terror with which the hon. Member for Flintshire (Mr. S. Smith) views the possibility of the destinies of this country being governed by ladies who prefer reading serious novels rather than the works of Jeremy Bentham, Juvenal, and John Stuart Mill, the rather strangely-assorted

library which we are led to infer now guides the agricultural labourer in giving his vote. But at the end of his speech he was unable to refrain from adding a third to the gloomy prognostications to which we have been treated this afternoon. If he does not fear to be governed by women he is desperately afraid of any further move in the direction of reform. We have been much interested in watching the faces of some of his Colleagues while he preached the gospel of caution in sentences which, had the word peasant been substituted for the word woman, might well have been delivered in this House in 1832. The third argument was one of caution against any advance until somebody else had had the courage of their convictions. But I will leave that part of his speech. I do not see why on this occasion we should depart from the invariable usage of this House, and endeavour to frighten ourselves with the possible yet remote consequences of an action the immediate results of which we can gauge by reading this Bill. The second argument of the hon. Gentleman was that the franchise would rather do harm than good to the women who receive it. That he delivered, I believe, as a pious opinion. Other speakers had told us that, though women may take the active interest they do in politics, for them to have the privilege of bringing their opinions to bear on candidates would in some strange way degrade them and do away with that refinement and purity which we are glad to think they now possess. That is a pious opinion, and a pious opinion it must always remain. In other spheres of life—in hospital wards, for instance—women have shown a higher power than men to transcend the brutalities and degradations of their surroundings. I cannot, therefore, doubt that conferring the franchise on women may tend more to sweeten and elevate the atmosphere of political life than to work any degradation to the women who wield that power. The first argument, on which I wish more particularly to dwell, is that for this reform no such case of urgency or need has been made out as for every other reform which has receded it. It is said

that the fallacy under which we are labouring is that women are a class. We are told that in past times the franchise has always been extended to a class to add stability to the State, or to defend the recipients from injury, but that since women are not a class they will add no stability to the State, and do not need any special protection. In connection with that I noted one sentence about the home. The hon. Gentleman said it would imperil home life as understood in England, and quoted as a sentiment that some ladies wished to see that home life materially altered. The hon. Gentleman must be aware that a great many women have no home, and can have no home; that the whole status of women—whether we like it or not—is altered; that the daughters, as well as the sons, have to seek employment and to be independent of the protection of their male relatives, which 60 or 100 years ago was doubtless extended to them in every case. It is for these women we appeal. We believe they constitute a class, and will continue to do so, until the same political privileges are extended to women as men now enjoy. Why are they a class? Because the last Reform Act gave a vote to every householder; that was substantially the object of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone), who introduced the Bill. But from these householders a class was excluded, and thereby constituted the class of women householders. What we wish to do is to complete the right hon. Gentleman's measure; to approach nearer to that ideal which was his ideal, for in the speech in which he introduced the Bill he said—"If we endeavour to attain an ideal franchise we may be led to giving women suffrage or minority representation." And the right hon. Gentleman, when he contemplated an ideal franchise in 1884, a franchise providing in a certain sense for women suffrage and for the representation of minorities—why did he not then include women householders, as well as men householders? For a very good reason. He objected to what he called "deck-loading" his Bill. He declared that to admit that reform then would but imperil the measure; but does any-

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body say now when the ship has been sailing safely for eight years, when the cargo has been safely stowed all that time, there is any danger in our rounding off and completing the scheme of franchise by removing the disabilities which now lie upon women householders and upon women householders alone? What led the right hon. Gentleman to select householders as, broadly speaking, the political unit in this country? He did that because he laid it down that every citizen capable of using the vote for his own benefit and for the benefit of the country was entitled to have the vote; and he said that the class of householders although they might exclude some persons who had that capacity at any rate would include very few who had not that capacity. Therefore, if women householders are to be excluded and other householders are to be maintained, it can only be because they are incapable of exercising the vote for their own benefit, and for the benefit of the country. Why are they incapable? Why, we have had some argument advanced to prove that because women as the last resource, are possessed of less physical force than men, therefore they are not entitled to the vote. But physical force is not everything, even in the more ordinary and more obvious pursuits of life, and in such an elaborate and complicated example of society as the exercise of the franchise, physical force is nothing at all. Physical force, unless propelled by the emotions and directed by the mind, achieves nothing in politics; and even supposing the whole fabric of society were to crumble about our ears, physical force never will achieve any good unless it is impelled by the emotions and directed by the mind. And, therefore, if we do not find that women stand on a lower level in moral and intellectual capacity we are not entitled to reject their claim on the ground that physically they are weaker than men. There is another argument or another assertion of the incapacity of women—namely, that they lack judgment, that they are not such good judges of political questions as men are. Surely, when we use such an argument we exaggerate not only the ability but the demands made upon the ability of our fellow voters in this

country. It needs no Solon to man or the other when only sented for choice; and even quality of judgment were re even if women possessed less than men that would not involve claim to the vote, for the as every reform has been not increase the power of discern to obtain a more accurate one standpoint, as to many points of view. Then we have consider whether the point these women who are independent earning their livelihood is view which we can afford That is the sole question for answer; and in reply to been argued that a great correlation has been passed for in recent years, and that pretty well off as they are arguments were familiar in of those who were opposed tension of the franchise cultural labourers. It was that the peasants of England happy palaces; and yet told that without allotments, and free education, will be no better than slaves. I think we both sides, attribute the of our eyes in England to the labourer has been given it not only possible but women householders had obtained a voice for their are not householders, that find, even in the legislative so kindly introduced and their behalf, that we had wrong feelings, missed their true lost in an evil day the guide we might have received at I concede that no doubt it was a good one in its day. the position of women in that not only tolerable but not time when the persons and women were not safe in England as the position of the serf tolerable but perhaps not days of feudal anarchy.

who are pursuing their occupation, whether as clerks or servants, would certainly in 99 cases out of 100 fall within the category of lodgers. Therefore, whatever force there may be in that argument it is entirely irrelevant to the measure now before the House. I confess I think both the House and the country ought to be congratulated that they have at last got an opportunity for determining with precision, as the Division to-day will enable us to do, whether this movement for the so-called enfranchisement of women has advanced or receded within the last ten years. Among all the social and political agitations of our time, it is a movement which has enjoyed, and does enjoy, exceptional advantages. It has been recommended to the country by names of great and just authority. It has been engineered and advertised with a skill and a pertinacity which show, to my mind at any rate, that we have among us at the present day women who, even without the vote, can in that department of political activity teach us many lessons, and whom we can teach very little. And while I do not wish in the least to disparage the genuine enthusiasm which is felt in some quarters for this Bill and for kindred schemes, I am bound to add that, so far as I can form a judgment, it has been very largely accepted not from conviction, but without mature examination or inquiry; in that spirit of flaccid fatalism by which people persuade themselves that a thing must come if only it is shouted for loud enough, if only it drapes and clothes itself in a democratic disguise. I trust that, after this afternoon, we shall examine this question on its merits. I observe in the Press and in speeches which have been made by outside supporters of this movement that they are approaching the Division to-day with unusual heaviness of heart. They are lamenting, and lamenting somewhat publicly, the backslidings and fallings-away of eminent persons who in bygone times used to vote for their Bill, and even advocated actively their cause. They know their own tactics best; but I confess I should not have thought that that was the best way of recommending their claims to the attention of the House

Mr. Asquith

and the country. But I suppose, when you have got no proselytes to boast of, the only thing you can do is to denounce the perverts whom you have lost—I say, when you have no proselytes to boast of. I must admit that I rather agree with my hon. Friend the Member for Aberdeen, that some of the arguments both for and against this measure were pitched in rather too high a key. So far from thinking that it will lead to the political millennium which has been described in such graceful and elaborate language by the hon. Member for Dover, I regard it, for reasons which I shall shortly state to the House, as upon the whole a mischievous and injurious scheme; but, on the other hand, I cannot associate myself with all the gloomy predictions which we hear from the hon. Member for Flintshire and others, who seem to imagine that we are passing a measure which will lead to a complete and speedy disintegration of the social fabric. I believe that for some years its consequences would be slight and almost imperceptible. But we have got to consider and to deal, not with its immediate results, but its ultimate tendency. It is admitted that we have in this matter no relevant experience to guide us. There is no civilised country in the world, living under conditions similar or even approximating to those which prevail in Great Britain, which has ever made the experiment of giving women the vote. As to the case dealt with by my hon. Friend the Member for Aberdeen, the solitary case of Wyoming in the western part of America, I need not repeat what has been already said by my hon. Friend. It will be sufficient to point out that it is impossible to argue seriously from the experience of a rudimentary community, with a sparse population thinly scattered over what they call in America “magnificent distances,” to the case of an ancient, complex, and highly organised society such as our own. Nor is more light to be gained from our experience of municipal elections. The women's vote there may have done good or harm. There is no evidence upon which to pronounce an opinion one way or the other; and the reason for that is that the result has been infinitesimal, either for good or for harm.

No doubt there is a great and growing interest in these municipal contests; but we should be shutting our eyes to facts not to recognise that they are for the most part determined by local and personal considerations. The position of women voters in such contests is fundamentally different from what it would be if, through their instrumentality, an immense addition were made to the Parliamentary register, and if, when a great election was coming on, where every vote was a matter of almost national importance, this large body of untried and susceptible opinion were to be exposed to the influences, solicitation and pressure which cannot be withdrawn from a Parliamentary election. As we have no experience to guide us one way or the other, this change must be recommended on purely abstract grounds; and I do not think I am doing any injustice to the argument of the promoters of this Bill when I say that the main weight of their case rests on the assumption that in a democratic community such as ours, to exclude from the franchise any class of persons—especially persons who pay rates and possess property—is an indefensible anomaly, and a negation of the principle of popular representation. In other words, this Bill is recommended, as the hon. Member for Dover has said, as the logical development and completion of previous extensions of the suffrage. That is a position which, in its length and breadth, I entirely traverse. I assert that, in many essential particulars, the present proposal differs from all other previous enlargements of the franchise. In the first place, there has been no case hitherto in our constitutional experience where the franchise has been extended to a class without clear proof of demonstration being given that that class was, if not unanimously, at least in immensely preponderating numbers, and by an emphatic and clear voice demanding the boon that was to be offered. Now, what is the case in relation to women? It is true that there are some of the best women who are strongly in favour of women's suffrage. It is also true that there are some—I will not say a majority—of the best women who are strongly opposed to it.

But as to the great mass of the sex, the only thing that can be asserted with truth is that they are watching with languid and imperturbable indifference the struggle for their own emancipation. Again, there has been no previous extension of the suffrage except where it has been capable of proof, and where it has been proved, that the class excluded, and whom it was sought to admit, are persons capable of performing, and actually performing, the duties, bearing the burdens, and liable to the calls of active citizenship. That was the case with the £10 occupier, and with the urban and rural householder. They were all men liable to be called upon in the last resort for the defence of their country. They were men to whom, before they got the franchise, most positions of public emolument and trust were already open. They were men for whom the duty and the burden of carrying out, and being actively responsible for, the policy and legislation of the country, existed, and who had no voice in directing or deciding that policy. The hon. Gentleman opposite has spoken with contempt of the argument derived from physical force. But in the last resort, not living in an ideal state of things, the sanction of the law is force; and the law which rests on the opinion of a majority of voices, but which cannot summon to its aid, in case of difficulty and danger, the active assistance of the physical force of the country—that is a law which is made to be broken, and for the performance of which there is no practical or adequate security. I say, therefore, that you are asking for the first time for the introduction into the Constitution of a new and a privileged class. You are asking the House to give women a vote and the power to count head for head with men in the making of laws, in the determining of policy, in the supervision of national administration; and yet, at the same time, you are not casting upon them—because nature does not allow it—the burden which is cast upon every male citizen. I go now to a further point. I say that there is no case in which the franchise has been enlarged where it has not been shown that there was an actual grievance of which the excluded class had a right to complain. One of the worst effects

of a limited suffrage has been its tendency to produce class legislation; and it can be shown to demonstration that every extension of the suffrage has led directly, as an almost immediate consequence, to the remedying of grievances and the redress of injustice, or to the opening out of new opportunities, in respect of the class which was then for the first time admitted to electoral rights. It was so in 1832, when the £10 occupier was admitted. That led to the opening of the Municipal Corporations and to Free Trade. It was so in 1867, when the urban householder was admitted. That led to the scheme of national education. It has been still more conspicuous in the case of the last enlargement. For there is no doubt that, but for the enfranchisement of the rural labourer, the country would never have heard of allotments or small holdings, or any part of that large and varied programme of social and agrarian reform which is to be spread before the eyes of the country voter at the next General Election. I have taken these instances for the purpose of challenging any hon. Member who may follow me to show that, in respect of sex, there is, or there has been for the last 30 years, a case of provable injustice in the legislation of the Imperial Parliament. The hon. Member for Aberdeen has dealt with the efforts of Parliament to put married and single women on the same footing in relation to contract and property, and to deal fairly between men and women with regard to the care of children. Is there any case now where the law weighs unfairly on women, and to which the attention of Parliament is not just as likely to be invoked successfully under the present suffrage as under a suffrage which would include women? I do not believe that any such case can be cited. It is the framers of this half-hearted and illogical Bill who are going to introduce distinctions between women and women, and between men and women. They are creating distinctions between women and women because, whereas a Parliament of men have removed every distinction and disability with respect to contract and ownership of property as between married and single women, the Movers of this Bill ask the House to affirm

that a woman is perfectly qualified and competent by intelligence and experience to exercise a vote; but that the moment she approaches the altar she constructs for herself a disability which Parliament ought to recognise as thenceforward disqualifying her for a vote. That is not the only distinction; for while it is sought to enfranchise women for the particular and limited purpose of giving a Parliamentary vote, the Movers of this Bill at the same time refuse to take the next step—a step which, if their premises are right, would logically follow—and give them the capacity to sit in Parliament and hold important offices in the State. As the right hon. Gentleman the Member for Midlothian has pointed out, there is to be a new class of voters, privileged in one sense, as taking no part in the execution of the law, but in another sense disabled, because, while they may vote, they may not sit in the House of Commons or hold any public office. Now, that is a state of anomalies and inequalities which no Legislative Body, in which male opinion predominates, would ever be guilty of putting on the Statute Book. The question has been asked with considerable force, or at any rate with great superficial plausibility, whether the opponents of the Bill are prepared to assert that there are no women fit for the exercise of the franchise. They have been asked, by way of illustration, whether they will assert that a woman of genius like "George Eliot" was unfit for the vote which was given to her butler and her footman. But legislation must be framed to deal not with exceptions and portents, but with average cases and normal conditions; and when this question of fitness is raised it is incumbent to realise oneself, and to remind others, that fitness is a relative term. We have not only to ask whether the average woman is fit for the franchise, but, if I may use such an expression, whether the franchise is fit for her. I demur to the doctrine that women are unrepresented, or that they contribute nothing to our political life at the present moment. They contribute through their own appropriate agencies quite as much as men do. They contribute to it imagination, insight, sympathy, a host of moral and in-

tellectual qualities, which are impossible to analyse and difficult to classify, but all of which have this common property—that they operate by personal influence, and not by associated or representative action, and that their natural sphere is not the turmoil and dust of politics, but the circle of social and domestic life. I do not say that if this measure were passed women would cease to exercise that influence; on the contrary, I believe they would still exercise it. But exactly to the extent to which the temptations offered by this measure were operative, in that degree they would tend to draw women from the sphere in which they are really powerful, and transplant them to another, where they would play a subordinate, a secondary, and an inappropriate part. I have heard this measure recommended in the name of democracy. But it is not a democratic measure. The doctrine of democracy demands that we should equalise where inequality exists among things fundamentally alike, but not that we should identify where things are fundamentally unlike. The inequalities which democracy requires that we should fight against and remove are the unearned privileges and the artificial distinction which man has made, and which man can unmake. They are not those indelible differences of faculty and function by which Nature herself has given diversity and richness to human society.

MR. COURTNEY (Cornwall, Bodmin): My hon. and learned Friend (Mr. Asquith) has made such a very powerful speech that I feel considerable diffidence in rising to follow him; and especially so, as I am aware there are others who desire to join in the Debate. I will, however, briefly deal with one or two arguments he has advanced. My hon. Friend has said this will be an occasion for taking the measure of the progress of opinion on the subject dealt with by the Bill, and he seemed already to congratulate himself that the Division would show a dwindling force into its support. I do not inquire what result to the Bill the immediate decision may be. Whether it be for or against the Second Reading I shall receive the result with an equally unmoved temper, because I am persuaded

that this measure, small as it is, is a part of the great movement which, in spite of all the rallying of the opposition, is bound to persevere, bound to go on, and must very soon prevail. The hon. Member for Fife (Mr. Asquith), referring to the extremely able speech of the hon. Member for Dover (Mr. Wyndham), said that the hon. Member advanced a new argument against the Bill. The hon. Member for Dover referred to a large section of the women population of this country who, in consequence of the alteration of economic and social conditions, are now themselves forced to earn their own living and are more or less self-dependent, and he argued that was a class whose interests at least deserved consideration, and were liable to be forgotten by this Imperial Parliament so long as women were not represented by this Parliament. "But," says the hon. Member for Fife, "this Bill does not enfranchise women of that character." It is, however, a Bill which will undoubtedly enfranchise something like eight or nine hundred thousand women, most of them closely associated with the working women of whom I have spoken, and who will share their hopes, their fortunes, and know the particular wants of women, and the particular wants which require attention. It may be possible that not many of these working women who are self-dependent will get the franchise under this Bill, although I think there are more than the hon. Member for Fife suspects; but this Bill if passed will establish the great principle that women not only economically and socially but politically must be regarded as persons who are more or less capable of self-defence. And the influence which already operates to a large extent will, from the political operation of the vote, still more be strengthened and affirmed, so that woman in the future working out her own position and dependent upon her own exertions would fortify the Legislature and render it more responsible to her wants. It is said that women have no particular claim to protection at the hands of the Legislature. And it is curious to note that the class proposed to be enfranchised has always already received careful and full attention from

the Legislature, but when it becomes enfranchised it is found that they have a considerable right to ask attention which up to that time has been neglected. During the speech of my hon. and learned Friend the Member for Fife, and his argument about women, and still more during the speech of the hon. Member for Flintshire (Mr. S. Smith), who fears the terrors of what will happen if eleven million women are admitted to the franchise, I was reminded of an incident which occurred in this House during the Debate on the Household Suffrage Bill. Some Member on the Conservative side dilated on the frightful consequences which would come if the working classes were admitted to the franchise *en masse*, and the right hon. Member for Midlothian (Mr. W. E. Gladstone), animated by a just resentment of that kind of argument, said—

“You talk of these persons as if they were wholly removed from us; as if they were persons who would vote against us. Are they not also flesh and blood?”

I venture to say of women—“Are they not flesh and blood?” Have not they got some sort of interest in what we do, in the laws we proclaim; are they not interested as the men are interested; and, from that point of view, are we to assume with the hon. Member for Flintshire that the final effect of this movement, if now adopted, will be to enfranchise eleven million enemies? It is said that women have no special merits, no special needs. But I would recommend the consideration of the action of women in connection with the representative institutions they could influence. Why, Sir, experience of the action of women as electors in representative assemblies has shown that women are very keenly interested in the character and the conduct of the persons they choose, and they are very keenly interested, too, in the kind of social legislation which affects the happiness of the home, and affects the relations of the wage earner of the home. And who can doubt that if women do get the vote, even under the limited form of this Bill, there will be a considerable addition to the strength of the demand for temperance legislation. As to the needs of women, I have had some small experience as a Member

of the Labour Commission, which at least shows there are some wants of women which have not been hitherto attended to, and which I think would receive ampler attention, and more immediate attention, if women had an active voice in the Legislature. There is, for example, such a small matter as the inspection of factories. The mass of workers in the textile factories are women, not men; and they are universally agreed in their demand for women Inspectors, and yet they do not get women Inspectors to help them in any degree. I think if the Home Secretary had women voters at his back he would soon have to come to the House of Commons to ask for an increased inspectorate, and to allow women to inspect the conditions of work in our factories as well as men. Then there is the matter of educational endowment, which has also been referred to, and under which women have not had their fair share. There is also the question of the divorce laws, and the subject of the custody of children still remains in a most incomplete form, inflicting great injury and injustice on the mother. For example, a husband may treat his wife so badly that it is impossible for her to live with him, and yet if the wife separates from the husband the latter has complete control of the children. This Bill is a very narrow and simple Bill. It proposes to declare this—that a woman already entitled to the municipal vote or County Council vote should also be entitled to the Parliamentary vote. “Oh,” said the hon. and learned Member for Fife (Mr. Asquith), “You are creating a new class with exemptions; you do not give the vote to the married women.” We, however, take the situation as we find it. We do not cut out the married women at all. To the women who have a vote we give a vote; and if the hon. Member for Fife is so anxious to remove the disability of coverture there is no reason why he should not endeavour to do so. It is not we who have created the disability; we accept the disability simply as it stands, and we propose to extend the Parliamentary franchise in accordance with the conditions regulating the municipal franchise. I have said this is a very small measure in

itself, but it is part of a great movement, which may be pregnant with important consequences. If adopted it will initiate this principle—that woman is a citizen as well as man, and that woman, self-dependent, has the same right to be represented in this House as man. And in that respect—aye, small as the matter is—I accept it as one dictated by common-sense and the plain principles of justice, and supported by the experience we have had; and whatever may be the ultimate consequences to which we are moving—I am not bold enough to prophecy—I am satisfied with the movement itself. No doubt we have gone through an age of the emancipation of women. From the time when men, in the plenitude of their strength, put to death the surplus female infants who were not wanted, because they were drags upon their action and limitation to their power, from that time to the present we have made great advances, and no doubt there are greater advances yet to be made. What may be the ultimate position of men and women in the society of two or three centuries hence I do not pretend to know. I am satisfied with this one step. This step is a simple one, and it is a just one. This one step is dictated to us by experience. This one step is recommended by the past. The future may take care of itself. This one step we are emboldened to take, because we see in it a step onward in the progress which has been made in the development of woman as a factor in our social system. I am, therefore, induced to give this Bill my support, and I hope the House will give it their support also when it goes to a Division.

*(4.48.) SIR H. JAMES (Bury, Lancashire): It is some 21 years ago since I first took part in the discussion of a Bill somewhat similar to the one now before the House. Since then I have so often expressed my views upon the subject, that perhaps those who have followed the discussions on this question will feel I am unduly intruding myself upon their attention. But the sound of my right hon. Friend's voice has aroused me. He has recalled some struggles he and I have had on this subject before. Well, Sir, I admit the skill of his rhetoric and his power in

debate have not afforded me many opportunities for answering him this evening. Yet, at the same time, there are some topics upon which an answer should be given. Mr. Speaker, my view is that my right hon. Friend has misconceived the nature of this Bill. I did not enjoy the opportunity of hearing the hon. Gentleman (Sir A. Rollit), who introduced this Bill, explain the strange and fantastic character of it, and the circumstances under which he felt justified in presenting it to this House. I have always understood that one of the principal grounds upon which this measure is based is that women shall be placed upon an equality with men. Some have said they support the Bill because men have been hostile to women. Both the grounds I believe to be untenable. If the hon. Gentleman who introduced the Bill is asking for the political equality of women with men, will he, in his reply, state why he shrank from approaching that subject? My right hon. Friend says he supports the Bill in order that redress for women's grievances may be obtained. If so, why does he shrink from Parliamentary equality? The attempted explanation of my right hon. Friend is one entirely devoid of logic. By this Bill it is sought to give to Parliamentary women—if I may use the term—a municipal franchise, while we retain to men the Parliamentary franchise. The municipal franchise proceeds on certain grounds. In dealing with municipal matters you have to deal essentially with the imposition of rates, and the application of those rates. Therefore, in the municipal franchise you have to deal wholly with a rateable franchise. You will not extend it beyond the rateable franchise. You will not allow the 40s. freeholder to vote in the municipality, nor will you allow the lodger franchise to be extended to the municipal voter, nor will you allow the service voter to vote for one and the same reason—that is, because they are not rated. Thus, when in 1888 the House had to deal with this question in the Local Government Bill, they always kept the distinction clear between the Parliamentary voter and the municipal voter with a rating franchise. The promoters of this Bill, whilst extending

the Parliamentary franchise to women, yet keep her within the municipal rating area, and refuse to give her the 40s. freehold vote, the lodger vote, or the service vote. You are thus erring exactly in the wrong direction. I listened just now to the eloquent language of the hon. Member for Dover (Mr. Wyndham), who drew a picture of a lonely woman, with no one to guide her, without a husband to protect her, and with no paternal roof to cover her. So she wandered into—where? Lodgings, I presume. That homeless lady, the particular friend of the hon. Member, is thus shut out from the franchise of this Bill. You refuse to give Parliamentary equality to that homeless person who needs a vote to redress her grievances, for the simple reason that you are endeavouring, as a matter of tactics, to say that what you are going to give is to be given because it has been given before without any consideration of the reasonableness or the unreasonableness of the different qualifications now existing. Now, Sir, one word more with regard to my right hon. Friend the Member for Bodmin (Mr. Courtney). He says that although this is but a partial measure, he accepts it, and does not care to what it will lead. Should that be the view of any man who desires to take part in public life—that he will look only to the immediate effect of a particular Bill, without considering whether its natural result must be for good or for evil? I say the man who sets the stone rolling at the summit of the hill is bound to see what effect will be produced in the valley. And, Sir, as has been pointed out in the course of this Debate, the House is bound to contemplate the time when, in consequence of the spread of education and the increase of intelligence and political knowledge, which must be factors in the progress of this country, we shall put on one side those evidences of fitness by property qualifications, and ask that every man shall have a vote. I do not contemplate whether the time will be sooner or later when that condition of affairs is reached; but it is in that direction the political forces of the time are drifting. When that day is reached, no one will hear of this

Sir H. James

timid shrinking from political equality. If you give universal suffrage to men, with the admission by this Bill that you are seeking to obtain Parliamentary equality, then you must give it also to women. Well, Sir, we have 900,000 more females than males in the United Kingdom. That is the proportion of the two sexes, I do not say of adults, and we should, consequently, have a large majority of female voters over male voters. What I ask is, are you prepared to say that the destinies of this country shall be governed and controlled by that preponderating majority? Are you prepared to say that this majority shall have the power of directing a policy which, as my hon. and learned Friend the Member for Fife (Mr. Asquith) has pointed out, they never can be called upon to carry out? Mr. Speaker, there is also one practical view of this question. What do our politics consist of? Men may be eloquent upon subjects, especially Imperial subjects, from an abstract or theoretical point of view; but in the main our politics are composed of practical subjects, and they must depend for their decision upon practical knowledge. We hear discussed here questions affecting the control of the Army, and we listen to military men on the subject. Naval questions are also discussed, and we have the opinions of naval men to guide us. Commercial life is represented by commercial men, and even legal matters are represented by lawyers. Now, upon none of these subjects can we receive practical assistance from any woman, she not being a member of any of these professions. Yet it is proposed to give the preponderating influence to women, who are unskilled from lack of practical knowledge, while at the polling booth, as well as in Parliament, women will be allowed to take the same share as men in deliberating on and determining questions of which they are totally ignorant. The House must look to the consequences of such a proposal as this. Logically hon. Members must accept the proposition that if women had equal power of voting with men they should also have a seat in Parliament, and should have the privilege of filling many offices. That is the view of the supporters of this Bill. The

hon. and learned Member for Had-dington (Mr. Haldane) has introduced a Bill in which he proposes to make it almost a duty of the State to appoint a woman as Archbishop of Canterbury, Prime Minister, and Commander-in-Chief, whether she be competent or not. If the principle of Parliamentary equality is established, all the positions of this House must be open for women, even that of being a "Whip," and I have no doubt she would administer that office against us with great efficiency. The result is that we should be regarded as a nation of women instead of a nation of men. Sir, there is one argument I should have shrunk from if it had not been for some remarks that fell from my right hon. Friend, (Mr. Courtney), and that is as to the fitness of women for this measure. It has been said that one becomes personal if he states that a woman is more unfit than a man to exercise the franchise; but I confess, if I were not afraid of the consequences, I should be disposed to express that view strongly. My right hon. Friend the Member for Bodmin (Mr. Courtney) on one occasion made a statement on which I may rely in confirmation of my opinion that women are not so fit as men to exercise the franchise. This is the opinion of my right hon. Friend the Member for Bodmin, who, in moving the introduction of a Bill, said:—

"The narrowness of women's range of ideas is absolutely deleterious in its effects."

My right hon. Friend went on—

"Our earliest lessons are received from them. Are they not often lessons that we have afterwards to unlearn with great difficulty? We often find a difficulty in freeing ourselves from them, and in emancipating ourselves from the errors of our earliest days."

My right hon. Friend has passed on from the days of infancy to what I hope are happier days.

MR. COURTNEY: Read a little further.

*SIR H. JAMES: Certainly. I am about to follow my right hon. Friend into his later life. Again, he says—

"Of those who enter into the married relation of life, how constantly does it happen that the man's freedom of intellect is hampered, and he is incapable of imparting to the woman with whom so much of his life is spent any conception of his thoughts."

It is true my right hon. Friend uttered these words many years ago, but he goes on to say—

"He does not find in her any companionship, but, on the contrary, a drag upon his aspirations."

My right hon. Friend, referring to women individually, declared that, speaking on behalf of his country, he is willing to give to such women, who have taught us these evil lessons in our youth, the franchise. But at what expense? What time of probation is a woman to go through, and what price are we to pay for this school of treatment? It is at the expense of the Government of this country that this instruction will be given: the nursery will be the polling booth, and the schoolroom this House of Commons. But does it occur to him that there are men who take a different view of the subject, and who believe that those first lessons have not been deleterious to us. There are men who believe that such instincts for good as they have they received from their mother's teaching. It may be that teaching was not always logical, but to that teaching of the child could, oftentimes, be traced all the lessons for good that were applied in manhood. And these women who gave these lessons are the women who never had the vote, and who did not spend their time on the platforms of the country. Upon the second subject on which my right hon. Friend touched, the subject of married life, it certainly is a strange anomaly that whilst my right hon. Friend wishes to teach the mother and make her a better mother he would not extend the benefit of the lesson to the wife. He will allow the drag to continue on an imaginary husband; he will still allow the deleterious effect of the narrow range of ideas to affect a learned husband. If it is the intention of my right hon. Friend to give married women the vote let him say so; let the Mover of this Bill say so. Do not let them take advantage of us by saying that this is a simple and harmless measure, and then say that they are willing to give the vote to married women. If this Bill passes, the natural consequence must be that the married women must have a vote as well as the unmarried women. It is an absurdity otherwise. Whilst

men have their professions women have only one, and that is marriage, and yet we are asked to impose a disability upon her as soon as she is successful. The last time I referred to this subject there was great dissent from the view that a woman's destiny in life was controlled by the profession of marriage, and I believe an echo of that dissent was heard from a source which is invisible, though it may be audible (the Ladies Gallery). But my foundation for the statement is that when Lord Herschell brought a Bill into this House to abolish actions for breach of promise of marriage the women of England, under the handwriting of Miss Lydia Becker, protested against the measure, because they said that women's profession, in which she alone could succeed, was marriage, and they objected that the right to bring an action for breach of promise of marriage should be taken away from them. What is the absurdity of this proposition? The timid supporters of this measure would allow a woman, who has been unsuccessful in her profession, to retain the vote; but the one who has gifts and qualities of mind to attract, and becomes successful in that which those ladies termed their profession, the moment she attains the crown she is to be deprived, by her success, of the vote, and disfranchisement is to follow. These are, indeed, strange arguments upon which to found a Bill which is to appeal to the intelligence and logic of men. We are no enemies of women who seek to prevent their inroads into public life. It was a gifted woman who said that the woman who rocks the cradle rules the world, and she who has the power in the homes of England, she who can influence men, she who can, notwithstanding my right hon. Friend's view, enter into the thoughts and guide the actions of men, is a power irresistible in its force. But if she seeks for another mode of action, if she is asking through her advocates for a different power, she must pay the cost of it by losing those influences which proceed from her very inability to enter into the contentions and rough struggles of public life. Whenever she does this she will yield up real forces and influences for good, she will

fail to maintain her higher power when she struggles against man, but she will not fail in producing influences which will be destructive and disastrous to the very best hopes and interests of this country.

(5.10.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I should not have thought it necessary or entirely for the convenience of the Debate to have intervened if it were not that I find myself in opposition to the greater number of friends of mine who sit on these Benches, and with whom I am in the habit of acting in the closest agreement on all political matters; and knowing, also, that the opinions I am about to express are not shared by a large number of gentlemen who sit on this side of the House, I am unwilling to give a vote without very briefly stating some of the reasons which influence me in taking that course. The Debate has been an extremely able and interesting one, and the burden of the attack upon the Bill introduced by the hon. Member for South Islington has been borne by two Gentlemen sitting on the other side of the House, the right hon. Gentleman who has just sat down, and the hon. Member for Fife. The right hon. Gentleman the Member for Bury, though he made a very able and interesting speech, laboured under two or three disadvantages. He laboured, amongst other things, under the disadvantage of having replied to a speech which he had not heard, and he attacked my hon. Friend who moved the Second Reading of this Bill on grounds which he never advanced at all. He supposed that this Bill was introduced in order to produce absolute equality and symmetry in the position of men and women in regard to politics. My hon. Friend would have been guilty of the greatest absurdity if he had advanced arguments of that kind in support of a Bill which, on the very face of it, does not profess to produce that equality. And many of those who are going to support this Bill do not support it on any ground of abstract right or equality, or on any abstract right at all. We support it for practical reasons which I will endeavour shortly to state to the House. Another argument put forward by the

Member for Bury was, if he will permit me to say so, fundamentally inconsistent with the arguments advanced by the Member for Fife. The right hon. Gentleman drew a picture of what the condition of England would be when eleven million women had a vote, and only ten million men had a vote. He said—

“You will then be under the subjection of women. Women will control the policy of this country, and we shall be a nation of women and children.”

That implies that the women are all going to vote on one side and the men on the other, and that women would outvote the men. In other words, it pre-supposes that there is a class distinction and cleavage between women and men in matters political which would put all the women on one side and all the men on the other. That is altogether and wholly inconsistent with the argument of the Member for Fife, who told us that to consider this question as one of class distinction was altogether to misconceive the conditions of modern society. Turning from the right hon. Gentleman to the learned Gentleman behind him (Mr. Asquith), he gave us a very good Tory speech of the old tune upon the question of Reform Bills in general, and, in fact, there has been an unexpected vein of Toryism, or, at all events, what is described as Toryism by Liberal critics, in the speeches of gentlemen who sit on the opposite Benches on this question. As the Member for Dover (Mr. Wyndham) has pointed out, had the words “agricultural labourer” been substituted for “women,” some of those speeches were such as might have been heard from the small knot of gentlemen who were opposed to the Reform Bill of 1885, and precisely the same arguments have been used with respect to the incompetence of the class to be admitted, and as to the interests of that class having been hitherto fully considered. These are arguments with which we are all familiar, and have been familiar from time immemorial, the only difference being that they have much less justification in the present case than, I think, they had on previous Reform Bills. The hon. and learned Gentleman mentioned three points in which this particular altera-

tion of the franchise differed from any previous alteration of the franchise that had ever been proposed. He said that in every previous case the class to be enfranchised had shown their very great anxiety to obtain the franchise, and that in this case no such anxiety had been shown. I differ from the hon. and learned Gentleman. I think those who wished to be enfranchised have used the only methods they could use in the matter. That is to say, they have expressed their desire to obtain the vote on platforms and by public meetings, and by whatever other means were open to them. The hon. Gentleman appears to think that there was a widespread desire on the part of agricultural labourers to claim the franchise in 1885. I do not believe the desire existed, and I am sure it was never demonstrated. I am sure it could not be demonstrated; there were no means of demonstrating it except the means which have been used in the present case—platform speeches, public meetings, petitions, votes, and resolutions. Then, Sir, the second point on which the hon. Gentleman says this Reform Bill differs from every other Reform Bill is that the class to be enfranchised on this occasion are not capable of performing the duties of active citizenship as the classes which were previously enfranchised had been. What duties? So far as I know, the main one to which the hon. Gentleman alluded is that of fighting for their country. That duty cannot be performed with efficiency by gentlemen over 60 years of age. At all events, I am not aware that the severest conscription in any country requires any person over 60 years of age to serve under any contingency whatever, and yet I do not think the hon. and learned Gentleman desires to disfranchise them. The *posse comitatus* does not go out and fight the enemy; the enemy is fought by the disciplined Forces of the country, and the chief duty of the ordinary citizen consists not in shouldering a rifle and going off to the frontier; it consists in paying the bill. That is a duty which the people desired to be enfranchised by this Bill can perform; it is a duty they are obliged to perform; and the mere fact that they cannot enrol

themselves in Volunteer Corps does not appear to be an adequate reason for refusing them some control over the policy by which the foreign relations of our country are conducted and means of defence are to be secured. The third argument of the hon. and learned Gentleman was that in the case of every previous Reform Bill there had been a grievance of the class to be enfranchised which required to be redressed, and which could not, and would not, be redressed until the franchise was given to them, and he pointed out with great force that in connection with each of the great Reform Bills the grievances of the enfranchised class came to the front. But when did they come to the front? Did they come to the front before the enfranchised class received the vote or after it? The hon. and learned Gentleman has only to consider the list of cases he has himself given, and he will discover that it was only after the vote was conferred that it was discovered that this House really had a function to perform in modifying legislation in this country in the interests of the new class of voters. Now, Sir, leaving the speech of the hon. and learned Gentleman, and referring to the general course of the Debate, there is one argument which has been used which I desire directly to traverse. We have been told that to encourage women to take an active part in politics is degrading to the sex, and that received the assent of an hon. Friend of mine below the Gangway. It has received the assent of almost every speaker to-day. I should think myself grossly inconsistent and most ungrateful if I supported that argument in this House, for I have myself taken the chair at Primrose League meetings, and urged to the best of my ability the women of this country to take a share in politics, and to do their best in their various localities to support the principles which I believe to be sound in the interests of the country. After that, to come down to the House and say I have asked these women to do that which degrades them appears to me to be most absurd. I do not know much about these matters, but I understand that there are other Associations of the kind of which women are members, and I

have heard of a Liberal-Unionist Women's Association; I do not know if it has given my right hon. and learned Friend the Member for Bury (Sir H. James) that valuable assistance they are always ready to give. There is also, I think, a Women's Liberal Federation. I daresay the learned Member for Fife (Mr. Asquith) has taken part in its meetings.

MR. ASQUITH: Never.

MR. McLAREN (Cheshire, Crewe): Mrs. Gladstone is president.

MR. A. J. BALFOUR: The House will understand that I do not wish to introduce personal questions at all, but I think I may take it that every section in this House is only too glad to use the services of women when they think they can profit by them, and it does not lie in the mouths of any of us to say that taking a part in framing the policy of the Empire is degrading to the sex. In any other department of human thought than politics such an argument would be described by no milder word than "cant." Cant it undoubtedly is. The argument which appealed most, I am convinced, to those who oppose this Bill is not an objection of this character, but the conviction—the ill-founded conviction, I think—that it must necessarily carry with it, as what they call a logical consequence, the result that women must have a seat in this House, in the Cabinet, and should in all respects, so far as public offices are concerned, be placed on an equality with men. I do not believe a word of that argument. I can quite agree that it is very difficult to stop in such a course—to fix an arbitrary point and say there you will stop—if the arguments for going further are precisely those which made you travel thus far. The point, therefore, for us to consider is, Can the arguments that are brought forward in favour of this Bill be also brought forward in favour of women having a seat in this House? No, Sir; they cannot. There is no fundamental distinction between giving women the right to vote in municipal affairs and giving them the right to vote in Imperial affairs, and yet, though there is no distinction, you have resisted the change for 20 years, and, according to the hon. Member for Fife, you are going to resist it for 20

years more. How easy it would be to resist a change which involved a new departure—a new principle! Everybody must assent to the proposition of the hon. Gentleman the Member for Flintshire (Mr. S. Smith) that women cannot engage on an equality with men in a large number of professions. They cannot; and I quite agree that the profession of politics is one of these. In my opinion women could not with advantage to themselves, or to the community, take part in the labours of a great deliberative Assembly like this. That is a reason for not giving them a seat in this House, but is it a reason for not giving them an opportunity of expressing an opinion and giving a vote every four or five years? I do not know what the average duration of Parliament has been during the last 100 years, but I think in the future it will probably not be so long. If you want to prevent further progress you ought to stop at a point where defence is possible, but at the present point logical defence is not possible. Therefore, those who are greatly moved by logical consistency should, I think, move on till they come to a point where further change could be successfully resisted. The Debate has now almost reached its natural termination, and all I will say is that the matter which surprises me in this Debate is the position taken up by hon. Gentlemen opposite. I understand that part of their programme is a great alteration of the franchise, in spite of what fell from the hon. Member for Aberdeen (Mr. Bryce). I understand one plank of the Newcastle platform was One Man One Vote. When that is brought forward I believe we shall have all the old flesh-and-blood arguments urged again, all the old arguments for political liberty, and the whole train of commonplaces again thrust before us for our acceptance, by which each successive change in the franchise has been accepted, and yet the very gentlemen who say they are going to bring forward that programme at this moment absolutely refuse to admit the validity of a single one of these arguments when they are directed towards enfranchising not the least worthy class of the community, but what I believe to be one of the wealthiest classes. You will give

a vote to a man who contributes nothing to taxation but what he pays on his beer, while you refuse enfranchisement to a woman because she is a woman, whatever her contribution to the State may be. She has sufficient ability to look after lighting and paving, but is not so fitted to look after the interests of the Empire as a man who cannot point out on the map the parts of the world of which that Empire is composed. I think from all I can hear that this Bill is not likely to be successful on this occasion; but, depend upon it, if any further alteration of the franchise is brought forward as a practical measure, this question will again arise, menacing and ripe for solution, and it will not be possible for this House to set it aside as a mere speculative plan advocated by a body of faddists. Then you will have to deal with the problem of woman suffrage, and to deal with it in a complete fashion.

Question put.

(5.30.) The House divided:—Ayes 152; Noes 175.—(Div. List, No. 86.)

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

ACCESS TO MOUNTAINS (SCOTLAND) BILL.—(No. 213.) SECOND READING.

Order for Second Reading read.

Objection taken.

(5.45) Mr. BRYCE (Aberdeen, S): May I ask the Lord Advocate to be good enough to state what the objections to this Bill are? The Government accepted the Resolution, and some effect should be given to it. I have not yet heard what it is in this particular Bill the Government take exception to.

(5.45) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E): The hon. Gentleman can hardly expect us to enter into debatable matter at this hour. To attempt to state the objections now would be an unusual course, and is one not to be recommended.

Second Reading deferred till Monday next.

**WOMEN'S DISABILITIES REMOVAL
BILL.—(No. 176.)**

Order for Second Reading read, and discharged.

Bill withdrawn.

PUBLIC PETITIONS COMMITTEE.

Seventh Report brought up, and read: to lie upon the Table, and to be printed.

MOTIONS.

**LOCAL GOVERNMENT (IRELAND) PRO-
VISIONAL ORDERS (No. 2) BILL.**

On Motion of The Attorney General for Ireland, Bill to confirm two Provisional Orders made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the purchase of land for burial grounds in the Poor Law Union of Sligo, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 298.]

**LOCAL GOVERNMENT (IRELAND) PRO-
VISIONAL ORDER (No. 3) BILL.**

On Motion of The Attorney General for Ireland, Bill to confirm a Provisional Order made by the Local Government Board for Ireland confirming an improvement scheme, under Part I. of "The Housing of the Working Classes Act, 1890," for the City of Belfast, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 299.]

**LOCAL GOVERNMENT (IRELAND) PRO-
VISIONAL ORDER (NO. 4) BILL**

On Motion of The Attorney General for Ireland, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the improvement of streets in the Township of Blackrock, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 300.]

**LOCAL GOVERNMENT (IRELAND) PRO-
VISIONAL ORDER (NO. 5) BILL.**

On Motion of The Attorney General for Ireland, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the purchase of land for waterworks in the Poor Law Union of Tullamore, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 301.]

**POOR LAW GUARDIANS (IRELAND)
(QUALIFICATION OF WOMEN) BILL.**

On Motion of Mr. T. W. Russell, Bill to enable Women to act as Poor Law Guardians in Ireland, ordered to be brought in by Mr. T. W. Russell, Mr. Lea, Mr. Thomas Dickson, and Mr. Johnson.

Bill presented, and read first time. [Bill 302.]

EIGHT HOURS (NO. 2) BILL.

On Motion of Mr. David Randell, Bill to restrict the Hours of Labour in all trades and industries to Eight per day, ordered to be brought in by Mr. David Randell, Mr. William Abraham (Rhondda), and Mr. Cuninghame Graham.

Bill presented, and read first time. [Bill 303.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

(5.50.) MR. A. J. BALFOUR: Perhaps it will be convenient for me now to state that on Friday I propose to move that Morning Sittings be taken on Tuesdays and Fridays for Government Business, as was the case before Easter. That, I think, was an arrangement which commended itself to the House at that time.

MR. H. H. FOWLER (Wolverhampton, E.): Has the Business for to-morrow been finally decided upon?

MR. A. J. BALFOUR: Yes; the Clergy Discipline Bill will be the first Order, and the India Councils Bill will have the second place.

DR. TANNER (Cork Co., Mid): Can the right hon. Gentleman say when he proposes to bring on the Irish Local Government Bill, or has it been definitely abandoned?

MR. A. J. BALFOUR: Oh, no; I hope to bring on the Bill as soon as we have advanced a stage with the Small Holdings Bill.

DR. TANNER: Within the next fortnight?

MR. A. J. BALFOUR: That depends upon the rapidity with which we proceed with Public Business.

Motion agreed to.

House adjourned at ten minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, 28th April, 1892.

MR. SPEAKER'S INDISPOSITION.

The House being met, the Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker, owing to indisposition.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL (GENERAL POWERS) BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time.

* (3.20.) MR. BAUMANN (Camberwell, Peckham): I rise to move that the Bill be read a second time this day six months, and I am compelled to take that course, instead of moving an Instruction to omit the 7th clause, by reason of the notice which has suddenly appeared on the Paper in the name of the hon. Member for Chelsea (Mr. Whitmore), of which I do not in the least complain, to refer the Bill to a Special or Hybrid Committee. It is quite obvious that if the Motion of my hon. Friend were carried, and this Bill were referred to a Hybrid Committee it would be quite impossible, indeed, it would be ridiculous for me to move an Instruction to omit a clause to consider which the Committee would be appointed. Therefore, I have to resort to the more old-fashioned method of moving the rejection of the Motion for Second Reading, believing that that course is more conformable to the practice and usage of the House than moving an Instruction to the Committee, which, I understand, is regarded by the authorities of the House as an inconvenient innovation. I have no reluctance in moving the rejection of

the Bill on the Second Reading, because, although it contains certain plans for minor improvements in London, the main purport and object of the Bill is to construct a bridge at the end of Cromwell Road, and I consider that the manner in which it is proposed to pay for that is so objectionable, and that it raises a principle so important and far-reaching, that I feel amply justified in asking the House to reject the Second Reading. This Bill proposes the construction of a bridge from the end of Cromwell Road across the West Kensington line of railway, debouching at North End Road in Fulham parish. The cost of the bridge is estimated at £63,000, and it is proposed to pay the cost by dividing it as follows:—One-third to be paid by the County Council, one-third by the Vestry of Fulham, and the remaining third is to be divided among the owners, lessees, and occupiers of houses and lands within a radius of half a mile of the western side of the bridge in such proportionate amounts as the London County Council may by provisional award direct. Now, the only parts of Clause 7 with which I think it necessary to trouble the House are those Sub-sections which relate to the apportionment of the contributions. Sub-section 3 provides that in the award regard shall be had to the greater or less degree of benefit which, in the opinion of the Council and arbitrator will be derived by any lands or premises from the improvement. Where the property to be charged shall have been unoccupied, or in the occupation of the freeholder, at the passing of the Act the Improvement Rate shall begin to be payable from the 1st April or 1st October as may be next ensuing after the date of the award. Sub-section 3 provides that—

(3) In the Award regard shall be had to the greater or less degree of benefit which in the opinion of the Council or the Arbitrator will be derived by any lands or premises from the Improvement.

(4) Where the property to be charged shall have been unoccupied or in the occupation of the Freeholder at the passing of this Act the Improvement Rate shall begin to be payable from the first day of April or October, as the case may be, next ensuing after the date of the Award and shall be payable thereafter half-yearly until redeemed as hereinafter provided.

(5) In determining the Improvement Rate to be paid in respect of lands and premises which shall not have been in the occupation of the Freeholder at the passing of this Act the Council may take into consideration all the circumstances of the case and in particular may consider the several interests in such land and premises, and the time at which they severally expire and may make the commencement of such Improvement Rate dependent on the expiration of any term of years or other period or on the happening of any event as they shall deem fair and equitable and may apportion the incidence of such Improvement Rate as between the freehold and any other estate or interest in the lands and premises during the period of any existing term of years for which the same is held.

Where the commencement of such rate is deferred compound interest at the rate of 4 per centum per annum on the amount of the Capital Charge shall be reckoned from the first day of April or October, as the case may be, next ensuing after the date of the Award up to the date of the commencement of the rate and the amount of the Capital Charge on the premises shall be increased accordingly, and the Improvement Rate payable in respect of the premises shall thereafter be a sum equal to four per centum per annum on the amount of the charge as increased. But such charge and rate may nevertheless be redeemed at any time, whether before or after the date fixed for the commencement of the rate, on payment as hereafter provided of the Capital Charge with the interest and all arrears, if any, of the rate."

Now, I do not know if the House has followed the provisions of the clause, but it certainly is a very remarkable clause because it provides for the accumulation of the fixed charge or debt against the falling in of the reversion. A reversion may not fall in for twenty or forty, or sixty or eighty years, but if the London County Council think fit that the cost of this improvement should be borne by the freeholder they may direct the capital value of this charge, this debt, to remain accumulating for sixty, seventy or eighty years at compound interest until the freeholder comes into his reversion when he will not only be called upon to pay the cost of the improvement but the accumulation of interest at the compound rate of 4 per cent. Now, this clause contains two entire novelties and changes in the law of local taxation. It proposes in the first place to tax unoccupied property, and it proposes in the second place to tax the capital value of one kind of property for a debt which is directed to be accumulated against the reversion, and so is a tax on the capital value of that

Mr. Baumann

reversion. Now, it may be right to tax unoccupied premises; I do not think it is because profitable occupation has hitherto been the basis of our law of rating. ("No!") I make that statement, and I challenge the hon. Gentleman to disprove it. Profitable occupation has hitherto been the basis of our law of rating. It may be right to tax the capital value of premises; I do not think it is, because income is a matter of fact, while capital value must always be more or less a matter of speculation, and taxation of capital value in America has led to the perpetration of iniquity and of fraud, of rascality and roguery, and has led to a great deal of litigation. But whether it be right or whether it be wrong to tax unoccupied property, whether it be right or whether it be wrong to tax the capital value of a reversion, these are undisputably fundamental and far-reaching changes in the law of local taxation, which, if once sanctioned and applied in the case of London, will inevitably be applied to all lands and all houses and property by every Local Authority throughout the Kingdom. If these changes in the general law of taxation are to be made, if this proposal for revolutionising the law of rating—for it is little less—is to be made, it ought not to be made in a clause of a Private Bill introduced to the House by a private irresponsible Member, but it ought to be made in a Public Bill brought in by the Government of the day, to be debated by the whole House. There is another reason why we ought not to pass this Bill, that is, that this Bill is not the measure, is not the plan, recommended to the London County Council by the Improvements Committee, the Committee having charge of Metropolitan Improvements. The Improvements Committee recommended a very different plan to the London County Council. The Improvements Committee recommended that the contribution of owners' property of one-third of the cost should be paid by way of an improvement rate in one sum or by instalments within 25 years from the completion of the bridge, and it provided also that the owners should be the persons entitled to the rack-rent on the expiration of the existing

tenancy. Now, I think there might be a good deal said in favour of that proposition, because it might be argued that the burden would fall on the persons deriving the immediate benefit from the improvement. It might also be argued that the whole of the debt would be extinguished, while the advantage of the improvement would be appreciated. But this proposal was submitted to the Parliamentary Committee of the London County Council, which is under the malign influence of Mr. Charles Harrison, and this Committee altered the proposal in the manner now embodied in this Bill, by which it is proposed to lay a perpetual rent-charge upon property—redeemable it is true—but no one but the ground landlord will find it to his advantage to do so until the property reverts to him. Thus it will continue payable until the long leases fall in, it may be in seventy or eighty years when the value of the improvement may, owing to local changes, have become wholly exhausted or may have disappeared. The estate that will be at present affected by the improvement is long leasehold; and if this is so, it is the owner of the rack-rents who will benefit by the increased rental value of the property; but he will escape by a trifling payment of 4 per cent. on the charge or rate, leaving the capital sum to be ultimately redeemed by the ground landlord. I have heard it stated that nine years ago the owners were willing to make this bridge at their own cost, and very likely they were, but that was before the building estate was covered by houses. Very likely before the houses were built owners were willing to make the bridge, for they could have recouped themselves out of the rents and out of the prices at which they would have sold their leases, but that is a very different thing from imposing a charge of this kind on the owner of the reversion after he has parted with his lease and sold the houses he has built. I do not know whether the owners agree to this proposal or not; they ought not to be allowed to agree. No body of individuals outside this House ought to be allowed to change the general law of the country by an arrangement with the London County Council. Though I am

obliged to move the rejection of this Bill I am anxious that this bridge should be made, for I believe it will be a real improvement. I am anxious that the bridge should be made because it will connect South Kensington with West Kensington, "that undiscovered country from whose bourne no traveller returns," except perhaps my hon. Friend the Member for Fulham (Mr. Fisher). So anxious am I to have the bridge made that I take it on myself to suggest to the London County Council that the method by which the Northumberland Avenue, the Shaftesbury Avenue, the Embankment, Southwark Street, the Charing Cross Road, and Queen Victoria Street were made by their predecessors ought to be good enough for them, I mean that method well known as the method of recoupment by which the local improvement authority obtains power to purchase compulsorily more land and houses than are wanted for the improvement and then recoups itself by the re-sale of this property at an enhanced value. Why, Northumberland Avenue was made by this principle of recoupment not only without cost, but actually at a profit to the ratepayers, and Parliament Street is now about to be widened by a commercial company at a cost of a million sterling upon this well-understood principle of recoupment. The fact is all these urban improvements are in the nature of land speculations, and the Local Authority has no right to drag individual owners and occupiers into such speculations without their consent and then to throw upon them the cost of possible failure. If the improvement succeeds, if the land speculation is a success, the improving authority can recoup itself by re-sale at enhanced value; but if it fails the authority which makes it should be responsible and should pay the cost of the failure. With regard to the Vestry of Fulham, which, if recoupment were adopted as the method of making the bridge, would have to pay half instead of one-third of the cost of construction, I would suggest to the Vestry that it could recoup itself by an enhanced assessment of property which will result if the improvement be a success. We have a quinquennial valuation of

house property in London, and the assessment is already a year old. I suppose this bridge cannot be made for at least two years, therefore, within a year or two of the completion of the bridge the Vestry of Fulham will have ample opportunity of recouping itself by an enhanced assessment, and by the increased rates which would be leviable over the area if it be true that this bridge is going to enhance the value of the property in question. But we are told by the friends of "betterment" that the law of "betterment" obtains in America. It is very curious how our modern Progressives are always running across the Atlantic to draw examples from America, from the country which of all countries that are governed by the Anglo-Saxon race is governed most corruptly and most tyrannically. But, Sir, there are three points about this law of "betterment" as it obtains in America we should do well to remember. In the first place, by the American law of "betterment" there is compensation for damage as well as contribution towards the cost of improvement; in the second place, by the American law of "betterment" there is an appeal to a Court of Law from the award of the Local Authority; and, in the third place, by an organic law of the United States no Municipality or State can make a law which affects existing contracts relating to land. But in this Bill there is no provision for compensation for damage. If you do not acquire the adjacent property there will inevitably be depreciation as well as enhancement of value, and if you do not buy you ought to compensate. In the second place, there is in this Bill no appeal to a Court of Law, the common law right of every Englishman whose property is affected. True, there is an appeal to an arbitrator, but an arbitrator appointed by the London County Council the very Body from whose award the appeal is made.

MR. LAWSON: Subject to the approval of the Local Government Board.

*MR. BAUMANN: Subject to the approval of the Local Government Board I admit. Now, is "betterment" a success in the United States? The opinion of very many American

lawyers is hostile to the law of "betterment." When a project was before the House in 1890 with regard to the widening of the Strand, a very eminent Boston lawyer who has written many luminous and voluminous works on American law, wrote to a firm of solicitors in London, and from this letter I may quote briefly. Mr. Stimson, this eminent New England lawyer, said—

"My own opinion is that such laws while they are defensible in special cases, are very dangerous, and should be more restricted with us than they are. I will close with brief examples of things that happen. A client of mine had a small estate not five miles from New York City, an estate of ten acres in the centre of a village inhabited chiefly by Irish and German labourers, who for the sake of obtaining employment voted for and finally constructed a road through the estate. When this was done the estate was so injured that no tenant will take it since. The compensation awarded to my friend in this case was two thousand dollars for the land demanded, but a 'betterment' tax was imposed of nearly double that sum for benefit done to the estate, and so this landowner had to pay \$1,500 for the privilege of having his country seat ruined."

Then here is another instance—

"The City of Boston, a year or two ago, established a public park of nearly a hundred acres, four miles from the centre of the town, and imposed a 'betterment' tax on all the surrounding landowners. Without a single exception, so far as I know, every landowner refused payment and brought suits to contest the validity of the demand. There is an old equity doctrine," says Mr. Stimson, "about improving a man out of his estate, and there are a great many modern American doctrines which it would be well for you not to imitate."

The fact is, so long as you stick to definite areas of taxation, you are safe, but when once you come to lay an exceptional tax upon individuals, and particularly when taxes are levied by a popular body, elected, as unfortunately all our Local Bodies are now, upon political Party lines, you inevitably get on to most dangerous ground, and it is almost impossible to avoid jobbery, corruption, injustice, and consequent discontent. Now, I know very well what my right hon. Friend the President of the Local Government Board will say. He will support the Motion of my hon. Friend the Member for Chelsea, and he will say, in veiled Parliamentary language, this Bill is so bad, so monstrous, that I know no Committee will ever pass it,

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therefore let us push the responsibility of rejecting it on to the shoulders of a Select Committee. He will say it is a question of evidence that can only be tried upstairs. Sir, it is not a question of evidence. This is a question of principle which goes to the root of our whole system of local taxation. Does this House approve or does it not approve of taxing unoccupied property? Does this House approve or does it not approve of taxing the capital value of a particular kind of property? Sir, this is a question so important as affecting the local taxation of the whole country that it ought not to be withdrawn from the judgment of the House. This House ought not to shirk, and still less ought the Conservative Party to shirk, from pronouncing an opinion on a principle of such cardinal importance and far-reaching operation. Besides, I must remind the House that a very similar Bill was introduced in 1890, in regard to the widening of the Strand. That Bill was referred to a Select Hybrid Committee, and that Committee reported against the "betterment" clause, and rejected it. Now, I want to know are we always, year after year, to go on sending "betterment" Bills to Select Committees until some fine day we get a Committee which will pass this most mischievous principle? My apology is sincere when I say I feel I have already made a very large draft upon the patience of the House, and, therefore, I will say nothing in conclusion about the character of the Local Authority into whose hands this novel and dangerous weapon of taxation is proposed to be intrusted. The hostility and animus of the London County Council against ground landlords are too well known to require any emphasis. Verily I say if the last London County Council chastised us with whips, the present Council chastises us with scorpions, and its little finger is thicker than the loins of its predecessor. The Bill raises questions of principle sufficiently important to be submitted to the judgment of the House, and to justify my appeal to my right hon. Friend the President of the Local Government Board who is naturally loth to admit the unfortunate results of his own experiment in local

government for London. I venture to appeal from the Local Government Board to other Members of a Conservative Government; I venture to appeal to the Conservative Party to assist me in rejecting the Second Reading of a Bill which proposes to revolutionise the law of local taxation, and to adopt a method which, whatever may be the effect in this particular instance, can only, in the long run, lead to corruption, jobbery, injustice, and consequently to wide-spread and well-grounded discontent.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bau-mann.*)

Question proposed, "That the word 'now' stand part of the Question."

*(3.50.) **SIR J. LUBBOCK** (London University): Although I saw the notice of the Motion of the hon. Member to move the rejection of the Bill, I thought it better to reserve what I had to say until I had heard the grounds upon which the hon. Member would make his Motion, because the Bill deals with various matters, and I was anxious to save the time of the House by addressing myself only to those points the hon. Member raised. In the first place let me say we are prepared to accept the Motion of the hon. Member for Chelsea that the Bill should be referred to a Hybrid Committee. The hon. Member says he does not hesitate to move the rejection of the Bill, but I am surprised at the statement, because, be it remembered, although this particular clause to which he takes exception, as he says, refers to an expenditure of £63,000, the Bill itself deals with much larger amounts, and with many other Metropolitan improvements, to which, I understand, he does not object, and yet all these are to be thrown out because the hon. Member has so little confidence in his own principles that he declines to allow Clause 7 to be examined by a Committee upstairs. What is the proposal upon which the hon. Member has occupied the time of the House, and upon which he has desecrated with so much warmth? For-

merly, the cost of improvements were divided between the Metropolitan Board and the district affected. But this is a very rude mode of assessing the expenditure. Take this particular instance of the Cromwell Road Bridge. It lies at the extreme corner of the parish of Fulham, quite at the extremity of the parish. Under the old system the cost of constructing such a bridge would have been divided between the Metropolis as a whole and the parish of Fulham; but we have thought, and the Representatives of the parish of Fulham have thought, and the owners of property near the proposed bridge have thought, that a fair division of the expenditure would be that the Metropolis as a whole should pay a third, that the parish of Fulham should pay a third, and that the property immediately adjoining should pay the remaining third. Surely that is a fair proposal, or, at any rate, it is not so unfair that this House should refuse to allow a Committee to inquire into and report upon it. Nobody in the district, so far as I know, objects to it. The London County Council propose it, the parish of Fulham supports it, and it has the support of the landowners interested. I do not know of a single objection by anyone interested to what is contained in the clause. My hon. Friend stands up for the rights of property, but he says that owners of property, who are willing to contribute one-third of the cost of the improvement because they believe it will greatly benefit their property, should not be allowed to make that contribution. Defending the rights of property, he yet refuses to owners the right to contribute to the expense of an improvement in which they are very much interested, which they are anxious to see carried out, and which they believe will materially improve the value of their property. Then the hon. Member referred to the mode in which he would have the improvement carried out. He would have the London County Council buy up large portions of property around, covering itself for this expenditure by resales of land at increased values. But he also says he does not wish the London County Council to go into land speculations. And I should be sorry to see the London County Council en-

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gaging in land speculations—and I can say for my colleagues that we have no desire to go into speculations of any kind, and I think it would be a very unfortunate thing for the ratepayers if, following the advice of the hon. Gentleman, we were to embark on land speculation of this kind. Then my hon. Friend went into details of cases of what, in legal opinion from America, were regarded as hardships, and so they may have been; but I confess I do not see the bearing of this correspondence on the question before us. The cases were of a very different character to this, and I do not see their relevancy to the proposals which we ask the House to submit to examination by a Committee. Then the hon. Gentleman proceeded to forecast the speech the right hon. Gentleman the President of the Local Government Board will make, but I shall be very much surprised if his anticipations are fulfilled. I believe my right hon. Friend will support the proposal to send the Bill to a Hybrid Committee, and we have no objection to it. Then the hon. Member went on to say that the proposal in the Bill is similar to that which was made in the Strand Improvement Bill, and that the principle of "betterment" had been rejected by the Committee which sat on the latter Bill. Now, I do not admit that that was the case. I have here the Report of that Committee, and I find that the Committee said of the particular clause—

"We are of opinion that no probable increase of value would accrue from the carrying out of the proposed improvement."

I do not think the Committee conveyed an opinion that the principle of "betterment" was unfair and ought not to be carried out, but that in the particular case they did not think there would be any improvement in value. In another part of their Report the Committee emphasised this, for they said—

"In the present case the Committee are of opinion that the principle of 'betterment' could not be applied to the improvements proposed by the Bill."

The Committee did not, therefore, lay down any principle as to the whole question of "betterment" in the abstract. Now, the hon. Member

appears to suppose that the principle of "betterment" is entirely new, but that is not altogether the case. The Royal Commission on the Housing of the Working Classes referred to it in a paragraph of their Report. They said—

"Betterment is the principle that rates should be levied in a higher measure upon the property which derives a distinct and direct advantage from an improvement, instead of on the community generally, who have only the advantage of the general amelioration in the health of the district."

Among the evidence taken by the Royal Commission was that of Mr. Hugh Owen, the Permanent Secretary to the Local Government Board. He was asked if he approved of the principle of "betterment," and his reply was, "Yes, I think it is quite equitable." There is high authority, therefore, for saying that there is nothing unfair in the proposal. The present Secretary to the Admiralty (Mr. Forwood), who speaks with great authority on such a question, also gave evidence, and expressed his opinion that "on the whole the principle worked admirably in America." We do not, however, wish to ask the House to assent on the Second Reading of this Bill to the principle of "betterment." All we say is—"Here is an improvement approved of by the London County Council, approved of by the Parish of Fulham, and approved of by the landowners of the district as being a useful improvement. We all agree to pay for it in thirds, and all we ask the House of Commons is to allow this Bill to go to a Committee upstairs, there to be examined and dealt with." This is no new principle. Betterment has been already admitted by the law of the land. Moreover, the change in our policy as to improvements has been forced on us. A few years ago the Metropolitan Board of Works removed Putney Bridge, re-building it some distance up the river, and the occupier of a public-house adjacent to the bridge, who alleged that injury had been done to the business of his house, claimed, and was allowed, £1,000 damages, because his property had been deteriorated in value. At any rate, my hon. Friend should have objected to Clause 7, and not to the whole Bill. This is a large Bill, containing a number of

clauses dealing with a variety of matters affecting the Metropolis; and the hon. Member attacks one single clause in the Bill, a clause which if carried into law would not really be so terrible in its character as the hon. Member supposes. Under these circumstances, I hope the House will allow this Bill to be read a second time and go to a Hybrid Committee.

*(4.4.) MR. KIMBER (Wandsworth): I think the course taken by the right hon. Baronet, in proposing that this Bill should be referred to a Select Committee, points to a plan of operations which the London County Council adopts on the introduction of legislation into this House. It adopts the method of wrapping up a new insidious principle in an incidental clause in a Bill which includes, undoubtedly, many other useful objects, and thinks that because of these useful objects which the House would desire to pass, it will not throw out the whole Bill merely on account of this insidious principle which is incidentally introduced. Let the London County Council instruct its able Representative the right hon. Baronet to bring in a Public Bill announcing this new principle of so-called betterment, which may be discussed fairly as a public measure, as a matter of public principle, in this House; and then this House will not present any objection to endorsing any measure of utility which they might wish it to pass. I offer no apology, therefore, for opposing this Bill on the Second Reading, because I submit with great respect to the House that this principle is one which interferes so much with all the precedents and all the practice of this House, that the House as a whole ought to pronounce judgment; and if this Bill be thrown out because of the objection to this obnoxious clause, the London County Council will have only themselves to thank for linking most useful measures with an obnoxious clause. What is this obnoxious principle founded upon? It is founded—I was going to say upon sentiment, but it is founded upon something more than sentiment. I concede that where a public improvement is carried out which brings a special advantage to some particular person's property, that

that particular property should be willing to bear some proportion of the cost which the public incurred by that improvement. But what does this Bill do? It says in advance:—"We are going to make a certain public improvement, and we are going to assume long before the fact is proved or ascertained—and perhaps the fact will never be ascertained—we are going to assume that because your property lies in a geometrical figure described by a pair of compasses in a shape such as no property in this country has been found—that is in the form of a circle—that because your property lies within the magic circle described by a pair of compasses on paper, it shall be assumed that this public improvement is going to be an improvement to your property, and you shall by this Bill in advance be decreed to submit to a charge upon your property for a certain sum of money." I say that that is not only a breach of all good principle and practice, but it is a subversion of justice in not deciding upon facts, but upon probabilities. And these probabilities are to be decided by a body as to whose judicial faculties we can form an estimate by what they have done with regard to theatres and places of amusement—a body who devote their attention not to the performance of their legitimate business, but to extra-judicial or rather extra-political discussions upon matters which were never committed to their charge.

SIR J. LUBBOCK: Will the hon. Gentleman cite some cases?

*MR. KIMBER: If we were to review all the political matters discussed in the hall of the London County Council, we should not be able to get through all the Business on the Order Paper to-day. I appeal to the right hon. Baronet himself whether he has not been obliged to call his Council to order when the discussion tended in a political direction? At all events, his predecessor did; and I think it is a matter of public notoriety that that body, to which I allude with all respect, have diverged from those duties committed to their charge by Act of Parliament for the purpose of going into matters which were not committed to them. The right hon. Baronet denounces

recoupment as a speculation. But I think that that is a most legitimate kind of speculation, if we may call it so, that results in profit to the rate-payers, and does great credit to the Metropolis. But if they do not wish to speculate for a profit, or fear a loss, there is another plan suggested and well known, and adopted by various authorities; and that is by offering to give public contractors the execution of the work in question, and the power of doing that which, as in the case of Parliament Street, volunteers have come forward to do—viz., make an improvement, depending for its cost and their remuneration upon the improved value of the property. That is a most fair way, for this reason: that the charge is imposed upon the persons who get increment. It is fair and just because the incidence of the burden falls in the right place. The Bill certainly gives the right of appeal to a certain peculiar tribunal already remarked upon against the improper inclusion of a man's property; but why erect a tribunal of this absurd character, the nominee of the Council from whose decision the appeal is to be made?

SIR J. LUBBOCK: It is to be approved by the Local Government Board.

*MR. KIMBER: That does not make the tribunal a fair one, or make the tribunal otherwise than the nominee of the Council. But the question of all others which ought to be, but is not allowed to be, decided, even by this tribunal, is whether the private owner's property has been actually bettered or not. That is the main point which is to be determined—and it is prejudged. It is to be decided and decreed by the Bill, that because that man's property is included within a certain circular line, therefore it has been bettered. It may be a slum and not a frontage at all; and very frequently actual damage may be done to a man's property, yet there is no appeal, no place for a man of that kind to come forward; he is not to be allowed to go into the consideration of the question, that instead of being bettered he may be worsened. But the right hon. Baronet says he may appeal to the law of the land. I utterly deny that. If you pass this Bill, I deny that any man within that

so-called "betterment" area would have any right under the Lands Clauses Act, or any other Act on the Statute Book, to go for compensation. There is one other point to remember as regards betterment. If property has been increased in value, an increased assessment of rates falls upon all the interests in that property; because the amount of the assessment upon the property regulates the terms upon which a landlord and his immediate lessee settle the conditions of their lease; also the terms upon which the lessee grants a tenancy to the occupier, and the price which the occupier pays for a house.

*(4.20.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I do not think anyone can be surprised that my hon. Friend the Member for Peckham has considered it necessary to draw attention to this extremely important clause in the Bill. And he objects, so far as I understand the matter, to the principle embodied in this clause, and also to the details of the clause. My hon. Friend who has just sat down has taken exception to the London County Council having introduced this clause into a Bill dealing with a large number of other questions, and by so doing making it necessary for the House either to reject a measure of which they approve or to accept something of which they disapprove. There is undoubtedly a good deal of point in that contention in a general way; but in regard to this particular question, I would submit to my hon. Friend that it is hardly a question that can be dealt with in the general way that he supposes, but must accommodate itself in every case to the particular work to which it is desired to apply this principle. I would point out to my hon. Friend that, so far as the principle of "betterment" is concerned, it is not one that is absolutely novel. I have seen it stated in the document which has been published on behalf of the London County Council that this was a doctrine recognised with regard to private street improvements. No doubt that is so, but it is hardly a parallel case. The "betterment" principle with regard to private improvements is simply this:—where it is the duty of an individual

to do a certain thing with regard to his property, then he has to pay for doing it. That of course is a very different principle from what is embodied in this Bill. But a very much better case, and one, I think, which is in some respect a parallel case, is the case of the housing of the working classes. Although the principle is embodied in the Act of 1890, it was not a new principle even then, but merely a re-enactment of the law which existed previously. At any rate it was not new in 1890. As my hon. Friend knows, the Housing of the Working Classes Act, 1890, was a consolidating and amending Act. It was the consolidation portion that included this particular question of "betterment." If a house or houses are to be removed for the purpose of giving light and air to the houses remaining, then an arbitrator may be called in to say what remaining houses are to be benefited, and to assess the sum which ought to be paid on behalf of these houses. The money is originally payable by the occupier of the house, who has a right to claim re-payment of three-fourths of the whole from the owner of the house. That seems to me to be a much nearer parallel than the other one of which I have spoken, because it embodies this doctrine, that if in a particular case by means of a public improvement houses are benefited, then the property benefited shall pay a proportion of the cost.

MR. KIMBER: That is not determined beforehand.

*MR. RITCHIE: Yes; but that is another question. There are two questions involved—one the principle, and the other how the details are to be carried out; and, for my own part, I must say that I see nothing unjust or unfair in the principle of "betterment." As I have said, it is embodied in the existing law, but undoubtedly the great difficulty in the matter is how to apportion equitably any "betterment" made; and I do not think that difficulty has yet been solved. Certainly a proposal of the same kind made by the London County Council in 1890 was regarded by the Committee to which it was referred as altogether unsatisfactory; and the result of the deliberations of that Committee was to lead them to believe that, although the principle might be

sound, the application of it as proposed in that Bill would be altogether unfair, unjust, and injurious. That being so, I cannot join with my hon. Friend in endeavouring to throw out a measure of an extremely useful and important character simply because there is, with regard to a particular improvement in this Bill, the principle of "betterment" involved. But I am bound to agree with much that has been said by my hon. Friend as to the details and the machinery by which it is sought to apply this principle. I think myself that it will be extremely difficult to prove before a Committee that an area of half-a-mile from one end of a bridge is going to be benefited by a particular improvement. Then, again, with regard to the proposal that it shall be in the power of the London County Council to defer all payment until the property falls into the hands of the ground landlord—whether fifty, or eighty, or ninety years hence—and to charge the amount at compound interest to the owner when the lease falls in—I think that proposal seems to me to have an element of very possible injustice. It is not impossible that so-called improvements of the present day might not be improvements 30 or 40 years hence. I do not say that with regard to this bridge, which I think would very likely be an improvement. If we were to assess at the present time the amount of additional value which is to be given to a particular property at £100, then at the end of 99 years it is quite possible, when the property fell into the hands of the ground landlord, that the £100 would be multiplied by 50, and the amount would be £5,000. That is a proposition which it would be very difficult to defend before a Committee of the House of Commons. Another objection is, that you are making the present ratepayer pay for the benefit of the future ratepayer. It would be the ratepayer of 30, 40, 50, or 60 years hence who will be coming into the accumulated sum, and I think that would be unfair and unjust to the present ratepayer. There are other objections which might be raised against the machinery of the Bill, including the serving of notices on the owners of property who, under the provisions, may have no opportu-

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nity of raising objections. In my opinion, the strongest objection is that with regard to the appointment of arbitrator. I would ask my right hon. Friend the Member for the University of London whether the London County Council would be prepared to accept an arbitrator selected by the person who objected? Of course, they would not. These are important details, and I think it extremely desirable that they should be investigated by a Committee of the House of Commons. I should hope and expect that the result of such an inquiry would be that they would be greatly modified. Under the circumstances, I trust the House will allow the Bill to be read a second time. I understand that my hon. Friend is willing for it to go before a Hybrid Committee. It would have been impossible for me to have accepted it unless he had been so willing, but the matter is one of such vital importance that it should be most carefully considered.

(4.38.) MR. LAWSON (St. Pancras, W.): I understand that the hon. Member for Peckham is not willing to withdraw his Motion. He said he was following an old-fashioned method of dealing with a Private Bill. I do not know whose fashion he is following. It has not been the fashion of this House in dealing with Bills brought up by Corporations, because one clause is objected to, to throw out the whole Bill and to injure the community to a large extent. The hon. Gentleman who seconded the Motion once again indulged the House with the view of the London County Council which is taken by hon. Gentlemen opposite. He said the members of the Council mainly occupied their time in political discussions; but my right hon. Friend (Sir J. Lubbock) said that during his tenure of office he had never had occasion to call the members to order for such a cause, or to object to any desertion of their administrative work. I am afraid that some of the hon. Gentlemen opposite have been avenging themselves upon the present County Council on account of the election. I can quite understand the right hon. Gentleman the President of the Local Government Board saying that they had some right to object to

the details of the 7th clause. Even if the Committee took the view of the right hon. Gentleman, there would not be much difficulty in substituting an ordinary arbitrator for the arbitrator proposed to be appointed under the Bill. But when he said he objected to details, he took the version given of them by the hon. Gentleman opposite. The hon. Member for Peckham (Mr. Baumann) said that the freeholder might possibly have to pay the whole capital charge; but if he looks again to the Bill, he will find there is no obligation to pay the capital charge. It has also been suggested as a great hardship that the original lessee would have to pay a sum down if he continued as before, but he will simply have to pay as his predecessors have done years before. There is no suggestion that he would have to pay down the whole sum. The right hon. Gentleman the President of the Local Government Board has stated that, so far as the principle of betterment is concerned, it is a fair one. I would supplement that by saying that it is not only in the Artisans' Dwellings Act, but there is also a Betterment Clause of much the same kind as that imposed by this Bill in the Act of Parliament passed in 1834 authorising the construction of what is called the Bayswater sewer. In that case one moiety of the cost was

"defrayed out of the Land Revenue of the Crown in consideration of the advantages which the property of the Crown derived by diversion of the soil drainage from the Serpentine River."

Then, again, in the Consolidation of Sewers Act of 1848, a special sewer rate is charged on such occupiers as benefit by the work. The same may be said with regard to the Thames River Prevention of Floods Act, 1879—a special charge is levied for special benefit. That is the whole principle of betterment, and it has been embodied in every Act that has been passed since 1855. In the Metropolitan Local Management Act, 1855, it is provided that—

"Any Vestry or District Board may levy a rate for defraying any expense incurred for any particular part of the parish or district."

I believe that clause has since been repealed, but it expresses the

exact form of betterment that the County Council now ask for. I am myself strongly opposed to the London County Council going in for land speculation. The Metropolitan Board of Works owed most of the scandals which surrounded its close to having engaged in such speculation. It was proved conclusively before the Parliamentary Committee over which the right hon. Gentleman (Mr. H. Fowler) presided that the recoupment in the case of the Strand improvement did not save to the ratepayers the cost of the improvement. There is no alternative, therefore, but betterment, and I hope that the House will not throw out this Bill because of some alterations which it may think ought to be made in the 7th clause. I can hardly believe that the House will inflict such a great injustice upon London as a whole.

*(452.) MR. J. LOWTHER (Kent, Thanet): I do not intend to follow hon. Members into the details of the Bill. I am one of those who think that the details of any private measures are far better considered—are far better dealt with—in the Committee Room upstairs, subject always, however, to the condition that such measures are founded upon principles which have received the formal sanction of Parliament, failing which this House is bound to accept its own share of responsibility. But this is certainly a case in which the House should not shirk its responsibility. I was, I must admit, surprised and disappointed with the speech of the right hon. Gentleman, the President of the Local Government Board. He gave absolutely conclusive reasons why the House should not sanction the Bill; but he lacked the courage of his own conclusions. He was willing that a Committee should deal with it, instead of inviting the House to discharge its duty with regard to it. Such a monstrous and mischievous proposal ought not to receive the approbation of Parliament. It is nothing but a roving scheme for levying blackmail right and left. It is quite possible that a strong clause may have slipped almost unobserved into some Consolidation Bill which may be capable of being twisted into some kind of endorsement of this unsound principle of so-called "better-

ment"; but, notwithstanding what has just been stated, I undertake to assert that in no distinct manner has the principle of betterment received the sanction of Parliament up to the present time. The Strand Improvement Scheme was stoutly objected to and opposed on account of this very principle being involved. It was one which Parliament could never have assented to. I must protest emphatically against this Bill and the action which we are recommended to take in regard to it.

*(4.57.) MR. J. STUART (Shoreditch, Hoxton): I had no intention or desire to prolong this Debate, but I must make some reply to the right hon. Gentleman who has just sat down. This is a fair and reasonable proposal for the House to send to the Committee upstairs, because it is one with regard to which all the parties concerned—the London County Council, the Vestry, and the owners of the neighbouring property—are willing to bear their share of the cost of the improvement. It has been said that it is possible that accumulated interest under the provisions of the Bill may make £100 into £5,000, and there have been other vague fears and doubts of that kind. The whole sum is £22,000, and all that would be dealt with in any postponed manner is the residuum of that. Of course, a little injustice is as bad as much injustice, but there is a clause in the Bill under which it is said that consideration should be taken, by those who arrange what the improvement rate is to be, of all the circumstances of the case. Surely no arbitrator, however appointed, would aid such an absurd result as that sketched by the hon. Member opposite (Mr. Baumann), a result which really would be the outcome of failure to take into account the whole of the circumstances of the case. I admit that such matters as the appointment of arbitrators should be fairly considered by the Committee upstairs. Under these circumstances, I hope the House will, without further discussion, proceed to a Division. The time of the House is continually wasted by the reiterated opposition of a number of Members on the other side of the House to everything that the London County Council proposes.

Mr. J. Lowther

* (5.4.) COLONEL HUGHES (Woolwich): I should not have intervened in this Debate had it not been for the observations characterising this Bill as outrageous and as an attempt to levy blackmail. It appears to me the Bill does not deserve those terms of opprobrium. As to what has been said regarding the County Council, I would point out that the Council is exactly that which the constituencies have made it. Therefore, no improper motives ought to be attributed to the Council, because it stands on equal authority with this House by reason of the votes of the constituencies. I think the Bill is not unsound. There are, no doubt, errors in the seventh clause. Yet I would point out that the principle has not been introduced by a side wind, but has heretofore received the approval of Parliament. In the Metropolis Management Act of 1855 there is a clause which empowers a Vestry to levy a special rate upon a special district which has benefited by work done by the Local Authority. That applied to work of a public character. Where a public improvement is to be made, and can be proved to be for the benefit of a special district—whether that work be a sewer or a road, or, as in this instance, a bridge—the principle already stands. My own opinion is that the freeholders, or the Railway Company, ought to have made this bridge in the first instance; but, in order that a work of great public utility may be completed, the present arrangement of division of cost has been devised. I hope the Bill will be read a second time.

Question put, and agreed to.

Main Question put, and agreed to.

Bill read a second time and committed to a Select Committee of Nine Members, Five to be nominated by the House and Four by the Committee of Selection.

Ordered, That all Petitions against the Bill presented three clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Whitmore.*)

* (5.10.) COLONEL HUGHES: I beg to move the following Instruction to this Bill:—

"That it be an Instruction to the Committee to consider the desirability of inserting a Clause enabling the Clerk of the County Council of London to correct the Totals of the Valuation Lists, so far as the same have been affected by the decisions on any rating appeals, and that Section 44 of 'The Valuation of Property (Metropolis) Act, 1869,' should apply thereto as if such correction had been duly made on an appeal against Totals."

I do so in order to remedy an injustice, admitted, I think, by the County Council. The President of the Local Government Board (Mr. Ritchie) will understand exactly what is intended, and I hope therefore that he will, even though objecting to the form of the Motion, assent to my effort.

MR. RITCHIE: I object.

MR. DEPUTY SPEAKER (Mr. COURTNEY, Cornwall, Bodmin): The Motion having been objected to, cannot be taken to-day.

QUESTIONS.

WORKING UNCONVICTED PRISONERS.

DR. CLARK (Caithness): I beg to ask the Lord Advocate whether he is aware that Sergeant Mackenzie, the Keeper of the Wigtown Gaol, refused to permit a visiting member of the County Council to inspect the prison, and that when the County Councillor received an order and was admitted, he found some unconvicted prisoners picking oakum; whether picking oakum is one of the works done by the hard labour prisoners; and whether the prison officials can compel unconvicted prisoners to pick oakum?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I am informed that the police-sergeant in charge of the cells at Wigtown, used as a fourteen days' prison, did refuse at first to admit a member of the Visiting Committee of the County Council, but that the Councillor was afterwards admitted and found one unconvicted prisoner picking oakum. Oakum-picking is one of the kinds of work done by hard labour prisoners, and also by ordinary prisoners, the difference being in the task required. No prison official can com-

pel an untried prisoner to work; but such prisoners are allowed to work if they choose. The prisoner in question had been told that he was not bound to work; but that if he chose to tear a little oakum in order to pass the time he would be supplied with it, and he accepted the offer.

THE DUTIES OF PROCURATORS FISCAL.

DR. CLARK: I beg to ask the Lord Advocate whether he is aware that the Rev. Mr. Anderson, parish minister of Pultneytown, having been made bankrupt, Mr. R. S. W. Leith, Procurator Fiscal, Wick, was made trustee; that the trustee was interdicted by the Sheriff from making any inventory of the furniture in the bankrupt's house, the furniture being the property of his wife under the Married Women's Property Act, 1881; and that, in defiance of the interdict, the trustee forced an entrance and took an inventory; whether, upon the bankrupt complaining to the Sheriff of the contempt of Court committed by the trustee, he was informed that he required the sanction of the trustee, in his capacity of Procurator Fiscal, before any action could be taken; and whether he will arrange that Procurators Fiscal will be appointed without right of practice?

SIR C. J. PEARSON: The facts stated in the first part of the question are substantially correct, except the statement that the trustee, in defiance of an interdict, forced an entrance and took an inventory. After the interdict was granted, a valuator was sent to ascertain if there were other effects in the house belonging to the bankrupt estate. This officer was admitted at once by the rev. gentleman himself, who, however, some days afterwards made an informal complaint to the Sheriff Substitute. The Judge found no cause for interference, and in this finding the Sheriff agreed, and informed Mr. Anderson that if he wished to proceed with his complaint he should obtain the sanction of the Procurator Fiscal at Thurso, who had no interest in the case. I am not aware that the furniture was the property of Mrs. Anderson. According to my information, the Court of Session have decided that the furniture claimed by

the bankrupt's wife belonged to the trustee, and commented severely on the attempt made to disappoint the creditors, for whose benefit the furniture has now been sold. As regards the last part of the question, I have nothing to add to the answers frequently given in this House by my predecessors and myself in regard to the right of Procurators Fiscal to practise.

DR. CLARK: Is the right hon. Gentleman aware that the Procurator Fiscal in question has been appointed lately since these pledges were given and notwithstanding them?

*SIR C. J. PEARSON: No, Sir; I am not aware.

DR. CLARK: I will draw attention to the question on the Vote for Procurators Fiscal.

ZULU PRISONERS.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for the Colonies whether six Usutu prisoners, convicted in 1888-9, are now in Eshowe Gaol, in Zululand, viz.: Maghele, Tshwayibe, Nsukuzonke, Uxibilili, Umpikwa, Mafukwini; and if any of them are not, where are they, and what were the circumstances of their removal?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): Three of the prisoners, named Maghele, Tshwayibe, and Umpikwa, who are undergoing life sentences in commutation of capital sentences for murder, were in 1890 removed to Natal, to undergo their sentences under the Colonial Prisoners' Removal Act, 1884, and with the sanction of the Secretary of State, the gaol at Eshowe not being suitable for prisoners undergoing life sentences. The other three prisoners—Nsukuzonke (5 years), Uxibilili (8 years), and Mafukwini (5 years)—are, as far as the Secretary of State is aware, undergoing their sentences at Eshowe.

ZULULAND—USIBEPU.

MR. PICTON: I beg to ask the Under Secretary of State for the Colonies if the attention of the Colonial Office has been drawn to a statement

by an European resident in Zululand, published in the *Natal Witness* of 24th February, 1892, that—

"There can be no talk of Usibepu's people returning to Ndwandwe District because they have already been long established there, and that though Usibepu is not with them in person he indirectly manages his tribe, the Chief who is recognized is his brother on the spot";

and whether the above statements are a correct description of what has occurred; and, if so, what steps are the Government taking to secure the fulfilment in spirit, and not in the letter only, of the assurance given on 18th March?

*BARON H. DE WORMS: Usibepu's tribe is in apparent charge of an Induna named Zikizane, who is believed not to be a brother of the Chief. Whether the latter essays to manage the tribe indirectly is not known to Her Majesty's Government. The hon. Member does not appear to be aware that the Ndwandwe district is the ancestral home of Usibepu's tribe, and that the people of some hundreds of its kraals never left the district, or, if they did, returned to it in past years. The people are peaceably gaining a living by agricultural and pastoral pursuits, and Her Majesty's Government have no intention of evicting them. The assurance mentioned by the hon. Gentleman did not refer to them, but to those portions of Usibepu's tribe who are living out of the district.

MR. PICTON: Am I to understand that portions of Usibepu's people are now in Ndwandwe district, and have never been out of it?

BARON H. DE WORMS: The hon. Gentleman does not appear to have heard what I said—namely, that the Ndwandwe district is the ancestral home of the tribe, and that the people of some hundreds of its kraals never left the district, or, if they did, returned to it in past years.

MR. PICTON: This is rather an important matter. The right hon. Gentleman does not, I think, apprehend the point of my question. I want to know whether care is being taken that the assurance which the right hon. Gentleman gave on the 18th March will be carried out—that people hostile to the tribe will not be allowed to disturb them?

Sir C. J. Pearson

*BARON H. DE WORMS: Again I have to say that the hon. Member does not understand the last portion of my answer. I distinctly said the assurance mentioned by the hon. Gentleman did not refer to them, but to those portions of the tribe who are living out of the district.

MR. PICTON: I shall be obliged to raise the question on the Estimates.

THE STAMPING OF WEST AFRICAN LETTERS.

MR. ROWNTREE (Scarborough) (for Dr. CAMERON, Glasgow, College): I beg to ask the Postmaster General whether he is aware that whereas, prior to 1st January, letters from Benin, West Coast of Africa, where stamps are unobtainable, sent unstamped to this country, were, on delivery, charged the then single postage rate of 5d. per half ounce, they are now, since the postage has been nominally reduced to 2½d. per half-ounce, charged on delivery in this country double postage rates, or 5d. per half-ounce; and whether he will take steps either to allow of prepayment being made at Benin, or to continue the principle of charging adopted prior to the reduction of the postal rate, so as to prevent that reduction being illusory?

THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): The statements in the question are not quite accurate. Up to the 1st October, 1891, the postage to and from Benin and other Native Possessions on the West Coast of Africa was 6d. per half-an-ounce. When the universal rate of foreign postage was fixed at 2½d., double postage was charged on homeward letters if unstamped, because that rate does not cover the expenses which are increased if the postage has to be collected on delivery. In such places, where there are no post offices, the firms having local agents might supply them with British stamps, and arrangements are being made to furnish the Vice Consuls with a supply.

ELECTRIC LIGHTING LICENCES.

MR. BARTLEY (Islington, N.): I beg to ask the President of the Board of Trade if he will state for the information of the House the rules followed

by the Board under the Electric Lighting Acts with regard to the holding of a local inquiry respecting applications for Provisional Orders and Licences?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): In cases where objection to an application for a Licence or Provisional Order is made by any person locally interested, the Board of Trade do, if they consider it expedient, hold a local inquiry; but the circumstances of different applications vary so much that it is impossible to lay down any definite rule as to the grounds which would justify the holding of such an inquiry.

CIVIL SERVANTS' PETITIONS.

MR. CRAIG (Newcastle-upon-Tyne): I beg to ask the Chancellor of the Exchequer whether the Lords of the Treasury are willing to receive from Civil Servants Petitions which heads of Departments have refused to forward to their Lordships?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): The views of the Treasury are stated in the Treasury Minute of the 26th February, 1866, which is reprinted in Parliamentary Paper, No. 94, of the year 1883.

THE CONVICT HEHIR.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is usual, in Ireland, to keep in prison for the full term of their sentences convicts who have developed symptoms of insanity, and who do not recover; and has the convict Hehir, now confined in Dundrum, shown any signs of recovery from the madness from which he is admittedly suffering; and, if not, will he be released?

THE CHIEF SECRETARY (Mr. JACKSON, Leeds, N.): When a convict in Ireland is found to be insane while undergoing a term of imprisonment he is not kept in prison, but is transferred to the Central Criminal Lunatic Asylum at Dundrum. This practice has been followed in the case of the convict mentioned. He has not so far, I am informed, shown any sign of recovery.

MR. JOHN O'CONNOR: Will he be released?

MR. JACKSON: I do not quite see that insanity is in itself a justification for release. The prisoner must be in such a condition that it would not be safe to release him.

MR. JOHN O'CONNOR: Will the right hon. Gentleman inquire into the case personally?

MR. JACKSON: If the hon. Gentleman has any information I shall be glad to receive it and to inquire into the case.

INDOOR AND OUTDOOR PRISON LABOUR.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the letter of Mr. M'Auly, published in the *Irish Daily Independent* of the 18th instant, in which it is alleged that a prisoner, named Thomas O'Leary, confined in Mountjoy Convict Prison, whose health has suffered seriously from being employed at indoor work, has repeatedly applied to the Governor and the Irish Prisons Board to be employed permanently in the open air, in the belief that his health would be benefited, and that his application has not yet been granted; whether it is usual to make such changes in favour of prisoners whose conduct is good, or whose health suffers from indoor employment; and, if so, what special reason is there for refusing O'Leary; and will he see that his case is re-considered?

MR. JACKSON: I am informed that there is no foundation for the suggestion that this prisoner's health has suffered seriously from being employed at indoor work. He has applied to the Governor to be employed permanently in the open air, but that request could not be granted.

MR. JOHN O'CONNOR: I desire to ask the Chief Secretary whether it is a fact that this man has been refused work in the open air since the year 1888; and I should like to know from whom he gets his information. Is it from the Governor of the prison or from the Prisons Board?

MR. JACKSON: I had the opportunity of getting full and complete in-

formation, because I personally visited the prison and saw all the officers.

MR. PATRICK O'BRIEN: Did the right hon. Gentleman see this particular prisoner?

MR. JACKSON: Yes; and the place where he worked.

DUBLIN AND THE CATTLE DISEASE

DR. FITZGERALD (Longford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to an Order of the Lord Lieutenant prohibiting nine thousand Dublin dairy cows, from which the supply of milk to the city is chiefly derived, from being turned out to grass during the summer months; and whether it is intended to enforce this Order during the entire summer months; and, if so, whether, in the interests of the health of the city, the Lord Lieutenant will consider the advisability of withdrawing the Order, or prohibiting the keeping of cows used for a milk supply within the city boundaries?

*MR. JACKSON: I am fully aware of the Order in Council referred to. Although there are about nine thousand dairy cattle in the Dublin scheduled districts, the number licensed for grazing from these districts last year was about 3,500. I regret to say that pleuro-pneumonia has been and is very prevalent in the scheduled districts. During the year ending 31st March, 1892, there occurred in the North and South Dublin Unions 116 outbreaks of pleuro-pneumonia, involving the slaughter of 3,689 cattle, for which compensation was paid to the amount of £49,245. It is important to note that last year, prior to the movement of the dairy cattle to grass in May, there were only four outbreaks in the County Dublin outside the scheduled districts, and of these two were of small importance. During the six months, May to October, in which the cattle from the scheduled districts were at grass, there occurred as many as 24 outbreaks of pleuro-pneumonia, involving the slaughter of nearly 1,100 cattle, for which compensation to the amount of £13,263 was paid; whilst, during the other six months of the year, there were only five outbreaks, involving the slaughter of 124 cattle, for

which £1,500 compensation was paid. These facts, in my opinion, prove the absolute necessity for the Order, and it is intended to enforce it so long as it is deemed essential for the purpose of dealing effectually with the disease. The third question of the hon. Member appears to assume that the milk of town-fed cows which are not allowed to graze is injurious to health. This assumption, I am led to believe, is erroneous; and the experience of London confirms this belief. As a matter of fact, the great majority of cows in London cow-sheds never go out to grass at all, and, in regard to the sanitary condition of the animals, it may be interesting to give an extract from the Report of the Assistant Inspector of the Board of Agriculture, who was instructed in 1888 to visit the London Metropolitan cow-sheds in order to inquire into the general system of management and the sanitary condition of the animals kept therein. The Inspector's statement was as follows:—

"I was surprised to find the cows in such good condition. Many of them seemed fit for exhibition purposes, and it was easy to pick out the last purchased cows in the sheds. They were usually the poorest and lowest in flesh, rough-coated, and often dirty. In only two or three small lots did the cows generally appear in poor condition and dirty, and these were cases in which the owners had purchased old and worn-out cows. The condition and health of the cows I examined in the London cow-sheds would compare favourably with an equal number of cows taken indiscriminately from dairy herds in the country."

The question is a very important one. The Government is making strenuous efforts to stamp out the disease. We are sparing neither money nor pains, and I hope that the Government will receive the full support of those concerned and of the public and the House in their efforts to check the spread of the disease.

DR. FITZGERALD: We have every desire to support the right hon. Gentleman in his endeavour to stamp out the disease. I would, however, suggest that in making his inquiries he should consult the Medical Officers of Health in Dublin as to what their opinion would be of the enforcement of this Order—shutting up these cows in the city. My contention is, that the cows never having been put in, will not want

turning out, and ought not to be allowed out of the city boundary at all.

EGRESS FROM THEATRES.

MR. PATRICK O'BRIEN: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the dangerous condition of public theatres for persons engaged on and about the stage, in consequence of the inadequate provision for escape in case of fire; whether he is aware that the "safety curtain" provided for the protection of the audience shuts the persons engaged on the stage in with the fire, with a small stage door as the only means of escape; and whether he proposes to compel theatre owners to provide sufficient means of exit from the stage in case of fire or other emergency?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No, Sir; my attention has not been called to the allegations in the question. I am informed by the architect of the London County Council that, while facilities for escape for performers in case of fire differ greatly in different theatres, there are generally doorways on either side of the stage which communicate with the auditorium, in addition to the door from the street, by which the performers enter and leave the stage, so that the effect of the safety curtain is not that suggested by the hon. Member. During recent years great improvements have been made in London theatres in respect of provision for escape from fire, and the London County Council requires in all cases where it has authority that sufficient staircases, ladders, and doorways shall be provided for escape from dressing rooms, the stage, and all parts above and below it. As to the third paragraph of the question, I have no powers of compulsion. The Select Committee of this House which is now considering the regulation of theatres will, no doubt, make suggestions upon what future legislation may be necessary.

MR. PATRICK O'BRIEN: I did not refer to London. I asked for information elsewhere.

MR. MATTHEWS: I have no information.

REPAIRS TO THE GUARDSHIP
"TRIUMPH."

MR. JOHN O'CONNOR: I beg to ask the First Lord of the Admiralty whether the guardship *Triumph*, stationed at Queenstown, wants repairs; and, if so, are they such as can be executed in Cork Harbour; and will any repairs that may be required be done there?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The guardship *Triumph* is in need of repair which can be done locally.

THE CORK LUNATIC ASYLUM.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the repeated complaints made by the Board of Governors of the Cork District Lunatic Asylum, that particulars are not given them, or sufficient particulars are not furnished in the specifications of various contracts in connection with plumbing, fire mains, gas fittings, and copper cylinders; whether he is aware that the Board of Governors having been called specially to consider these contracts were informed that they had been previously advertised; whether the specifications given to the Board were, as alleged by the Chairman, incorrect; and whether an expenditure of between £2,000 and £3,000 is involved in the particular branch of the works alluded to?

*MR. JACKSON: With regard to this question, I am informed that any particulars in respect to proposed works are, if applied for by the Governors, invariably given, and their views sought with reference to them. The specifications for the proposed works mentioned were prepared by the local architect. Tenders were invited by public advertisement for these works, and they will be referred to the Governors for their views before any decision is come to. An expenditure of over £2,000 is involved.

DR. TANNER: Is the right hon. Gentleman aware that at the present time there is a deadlock in the Cork Asylum, and that the Governors have again and again refused to pass the contracts, inasmuch as they contend that the whole business is now done by the Board of Control in Dublin. Will the right hon. Gentleman look into this matter further, and I will put the question down again for next Monday?

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Board of Governors of the Cork District Lunatic Asylum refused to consider the question of the proposed connection between the new and old buildings; whether it is a fact that the Board of Control had omitted to insert the connecting passage in the original plans; and whether any and, if so, what steps will be taken to remove the frequently recurring friction between the Board of Control and the Board of Governors?

*MR. JACKSON: I am informed that the construction of the connecting passage referred to was not included in the original contract for the new buildings, as there was some doubt as to the best position in which to construct it, and it was, therefore, deemed advisable to postpone the consideration of the question. The matter is now receiving attention, and the Governors have been consulted on the matter. Plans are being prepared to carry out the work. The Board of Control have done everything in their power to prevent any friction with the Governors in carrying out these works.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Boards of Governors of County Lunatic Asylums have any power of regulating the expense incurred in the erection of new buildings or works in such asylums; and whether all fiscal control is vested in the Board of Control in Dublin?

MR. JACKSON: The control over the expenditure on the erection of new buildings or works in County Asylums in Ireland is vested by law solely in

the Board of Control; but the Governors are invariably consulted before the expenditure is incurred.

THE SALARIES OF DUBLIN POSTAL OFFICIALS.

DR. TANNER: I beg to ask the Postmaster General what increases of the pay attaching to positions in the Secretary's Department in the Dublin Post Office have been made since the recent appointment of a Secretary from England; whether any reductions have been made in the other branches of the Post Office in Dublin not immediately under the Secretary; and, if so, what is the nature and amount of such reductions; and whether a Return will be given setting forth the reasons for the increases and reductions of pay and, in the case of reductions, the reasons for the higher pay previously given?

SIR J. FERGUSSON: The present Secretary to the Post Office in Dublin was appointed nearly seven years ago; and during the interval no salary in the Secretary's office has been increased, with the exception of the clerks of the second division, whose scale has been raised in accordance with a recent Order in Council. Those clerks belong to a general class which is common to the United Kingdom. During the same period the Sorting Office in Dublin has been revised so as to assimilate its rate of pay to that of similar offices elsewhere, and the consequence has in some cases been to reduce salaries prospectively, but without injury to present possessors; while, generally speaking, the staff have obtained considerable advantages in pay and prospects of promotion. No reduction has been made in the pay of any officers in consequence of these changes.

SALES OF MARGARINE AS BUTTER.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is in receipt of a resolution forwarded by the Munster Dairy School Committee, calling attention to the adulteration of butter with margarine, and the frequent sales of margarine as butter; whether the Government will take any steps to secure margarine being dyed a distinctive colour to prevent further fraudulent

dealing and injury to an important Irish industry; and whether several foreign Governments have adopted the system of dyeing margarine to prevent it being fraudulently sold as butter?

*MR. JACKSON: I duly received the resolution referred to, but I am not aware of any intention on the part of the Government to propose legislation of the nature indicated. As to the latter part of the question, I may say that what I have seen indicates that the Acts of foreign Governments with regard to the colouring of margarine are rescinded, and that severe penalties are imposed on all who sell butter which is at all adulterated. I hope, however, that Irish butter will continue to be of such good quality that that will not be necessary.

FIGHTING IN UGANDA.

SIR W. HARCOURT (Derby): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been directed to the following statements in the *Standard*, of 26th April, 1892:—

"Zanzibar, Monday.—Further reports from Uganda confirm the main details of the fighting there, as I telegraphed them to you last week. It would seem that for some time previous to the outbreak of hostilities, the Protestants had received large supplies of Snider rifles. Encouraged by the possession of these arms, they attacked the Catholics, but were at first repulsed, and compelled to retire on the fort. There Captain Lugard came to their assistance with his Maxim guns, and after severe fighting and heavy casualties on both sides, succeeded in dispersing the Catholics. Mr. Ashe Winton was killed.

"Bishop Heoth escaped to Buddov. He reports that large numbers of Catholics have been seized and sold as slaves.

"The Catholics and Mohammedans are massing their forces, with a view to renewing the attack on the fort. Whether Captain Lugard will be able to hold his own or not depends entirely on how long his supplies of ammunition last.

"Mr. Gerald Portal has left for Vitu."

And in the *Times*, of 26th April, 1892—

"Berlin.—Herr Oscar Borchert, who is at present on the march to the Victoria Nyanza, has been commissioned by the Emperor to give presents to the King of Uganda in return for the elephant tusks which the latter sent to His Majesty. As, however, Captain Lugard has found it necessary to depose King Mwanga, it is doubtful if Herr Borchert will be able to fulfil his mission";

also to the statement previously published that—

“Captain Lugard had been made King of Uganda in the place of King Mwanga, with whom the Treaty was made giving to the East Africa Company such rights as they possess in that territory”;

whether Her Majesty's Government have made any inquiries, and can give any information as to the condition of affairs at Uganda and the adjoining districts on the Lakes; and whether, having regard to the obligations into which they have entered in relation to the Mombasa Railway, they will communicate to the House the Reports made by Captain Lugard as to the state of the country?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): My attention has been directed to the statements quoted by the right hon. Gentleman. No confirmation of them has been received at the Foreign Office, neither has any information corroborating them been received by the British East Africa Company. The agents of the Company have been instructed to telegraph any authentic information which they may receive. The latest information sent by Mr. Portal was contained in a letter addressed to him by Bishop Tucker. It only spoke of the usual difficulties between the rival parties at Uganda. This news was dated the 8th December, and was subsequent to the somewhat sensational reports from the French missionaries. In private letters received by the East Africa Company complaints are made of undue favour towards the Roman Catholic party shown by the Company's officers. There is every reason to suppose that Captain Lugard has avoided showing the least partiality to either side. Mr. Portal is paying a short visit to Vitu, but his visit thither is not connected with the alleged disturbances at Uganda.

SIR W. HARCOURT: Will the hon. Gentleman answer my question as to whether he has any reason to suppose that Mwanga has been deposed, as stated in the news from Berlin; and also whether he can say what is the latest information that the Government or the East Africa Company has received from Uganda?

Sir W. Harcourt

*MR. J. W. LOWTHER: Well, Sir. I am not quite certain of the exact date of the latest information received by the Company, but it is contained, I believe, in the lengthy Report from Captain Lugard which arrived in this country, I think about the close of last year. It was in continuation of the Report which the right hon. Gentleman had before him at the beginning of this Session. With regard to the first supplementary question of the right hon. Gentleman, we have had no information as to the alleged deposition of Mwanga; and we have had no confirmation of the telegram which appeared in the *Times* from Berlin.

SIR W. HARCOURT: May I ask whether the Government will lay upon the Table the Report of Captain Lugard, which the hon. Gentleman has referred to as having arrived here at the end of last year? Will that Report be laid upon the Table, so that the House may know what is the latest authentic information with reference to the state of things in that country?

*MR. J. W. LOWTHER: Yes, Sir. I think, when answering a question put by the hon. Member for Northampton some time ago, I said that these Reports were made to the British East Africa Company, but that, with their permission, we should lay them upon the Table of this House. They are now, I believe, in course of being prepared and printed; and they will be laid upon the Table of the House, in conjunction with other Papers which the hon. Member for Northampton asked for, shortly after the conclusion of the Debate on the Mombasa Railway.

THE CASE OF JAMES HUGHES.

MR. BRYN ROBERTS (Carnarvonshire, Eifion): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of James Hughes, a farmer's son, who, at the Petty Sessions at Abergele on the 5th March last, was fined £20 for assaulting a police officer; and whether, in view of the slight character of the assault, and of the fact that the young man had not been previously convicted of any offence, he will remit any portion of the penalty?

MR. MATTHEWS: Yes, Sir; I have received a Report concerning this case. It appears that James Hughes, who is a person of superior education and the son of a gentleman farmer, headed a crowd, and took the principal part in rescuing a prisoner from the custody of a police officer. He used threatening language to the officer, and struck him a severe blow on the side of the neck and on the face, and in consequence of this attack on the officer the prisoner escaped. I see no reason whatever for remitting any portion of the fine.

LORD WANTAGE'S COMMITTEE.

MR. JEFFREYS (Hants, Basingstoke): I beg to ask the Financial Secretary to the War Office what course he proposes to take with reference to the recommendations made by Lord Wantage's Committee; and whether he can now state that in future the old uniforms will become the private property of the soldiers on the expiration of the term for which they have been issued?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): My hon. Friend is aware that a day has been promised for the discussion of this question before Whitsuntide, and the Secretary of State will take the opportunity of making a statement in regard to the recommendations of Lord Wantage's Committee.

THE INSPECTORSHIP OF SCOTCH SALMON FISHERIES.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Lord Advocate whether the office of Inspector of Salmon Fisheries for Scotland is now vacant, or is about to become vacant; whether the retiring Inspector is entitled to a pension; whether it is the intention of the Government to fill up the vacancy by a new appointment; and whether, in that case, they will arrange that in future his salary be paid by the proprietors of the salmon fisheries who benefit by his labours, and not out of public funds as at present?

***SIR C. J. PEARSON:** The office referred to is now vacant, and the retiring Inspector is entitled to a pension.

The Government intend to fill up the vacancy, and the new Inspector's salary can only be paid from moneys provided by Parliament, in accordance with the Statute under which he is appointed. It is not intended to alter that arrangement.

NAVAL RESERVE MEN IN STORNOWAY.

DR. MACDONALD (Ross and Cromarty): I beg to ask the First Lord of the Admiralty if he will explain why it was that, out of about 250 men who came to Stornoway lately to be enrolled in the Naval Reserve, only fifty were enrolled, and after waiting about several days in the town the remainder were told they might go home, as no more could be enrolled, but on asking for the reason no answer was given them; and whether, there being already two thousand Naval Reserve men in the Lewis, and the Government having decided on increasing the force from eighteen thousand to twenty-seven thousand, Lewis was entitled as its share to have one thousand more men enrolled?

***LORD G. HAMILTON:** The Royal Naval Reserve consists of two classes of men, first and second class; the numbers voted this year being respectively 10,800 and 10,600. There are now about two thousand Reserve men enrolled at Stornoway, all of whom, with the exception of about a hundred first class, are second class men of the fishermen class. This number is far larger than that in any other district in the United Kingdom, and it is not proposed to increase the proportion now allotted to Stornoway. The second class Reserve has been increased this year by only six hundred men, and it is not proposed in subsequent years to materially add to that number.

AFFIXING STAMPS TO PLAIN CARDS.

MR. HOLDEN (Walsall): I beg to ask the Postmaster General if he will allow commercial and other cards—subject to the present regulations as to writing on one side, &c.—to circulate through the Post Office upon affixing a halfpenny stamp, as is now permitted to the senders of newspapers; and, if not, upon what grounds postage cards are differently treated to newspapers?

SIR J. FERGUSSON: The question of allowing cards of private manufacture bearing an adhesive halfpenny stamp to pass as post cards is still under consideration.

THE MILITIAMEN OF LEWIS.

DR. MACDONALD: I beg to ask the Financial Secretary to the War Office whether he has lately received from the Lewis District Committee of the Ross-shire County Council a Petition praying him to cause the militiamen of Lewis to be in future trained at Stornoway; whether he is aware that a large amount of sickness and death is caused in the island from infectious and other diseases contracted by the men while training in Fort George, and communicated by them to their friends and neighbours on their return home; whether he has fully considered the subject, and what decision he has come to thereon; and, if he has not definitely decided the matter, within what space of time will he be prepared to inform the House of his decision?

MR. BRODRICK: The question of training the battalion to which the Lewis men belong at Stornoway was carefully considered in 1887, and was negatived, as the men would have to be under canvas in an inclement season. These circumstances do not appear to have changed, nor has any complaint been made, so far as I am aware, that infectious and other diseases have been taken home by the men of the regiment. A Petition has been lately received and will be duly considered. It proposes, however, that a new Militia battalion shall be raised at Lewis, with headquarters at Stornoway. Even had it been considered desirable time would not have admitted of the proposal being carried out this year.

IRISH EVICTED TENANTS.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Government have as yet come to any decision as to whether they will this Session introduce a short Bill to extend the period of the 13th clause of the Land Purchase Act (Ireland) of last Session, with a view to re-instating evicted tenants in Ireland?

MR. JACKSON: I have not found evidence that landlords and tenants, in any sufficient number, have agreed or desire to avail themselves of Clause 13 of the Land Purchase Act of last Session to justify me in bringing in a Bill for its extension.

DR. TANNER: Will the right hon. Gentleman give the matter further consideration with a view to bringing in a Bill?

MR. JACKSON: Well, Sir, if I had evidence before me showing that the landlords and tenants were willing and desirous of making the necessary arrangements I certainly should consider whether I could not make some extension.

MR. PATRICK O'BRIEN: If the right hon. Gentleman has evidence of the willingness of the tenants to avail themselves of this clause will he exercise influence on the landlords and ask them to meet the tenants half way?

MR. JACKSON: I think the hon. Member will see that he is asking me to go beyond my province.

MRS. MONTAGU.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is true as stated in the Press that upon Mrs. Montagu's removal from Dublin to Derry, she was conveyed in a first-class carriage; and, if so, who paid for it?

MR. JACKSON: I have no knowledge of the circumstances.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Mrs. Montagu has been compelled to assume the prison garb?

MR. JACKSON: Under a general rule for local prisons, No. 28, which I believe was presented to Parliament in a Paper, No. 99, of the Session of 1889, an amended rule was made as follows:—

"A convicted criminal prisoner shall be provided with a complete prison dress and shall be required to wear it unless the General Prisons Board shall, by order in writing, otherwise direct, on the grounds that the wearing of such dress is not necessary for the purpose of health, or personal cleanliness."

The General Prisons Board report that application having been made on be-

half of this prisoner, they did not consider there was anything to justify her being treated in an exceptional way.

DR. TANNER: Am I to understand that only in the case of political offenders, who are opposed to the present Government, are the prisoners condemned to wear the prison garments, while forgers and murderers of their children are permitted to wear their own clothes?

MR. JACKSON: No, Sir; I have already pointed out that the Prisons Board saw no reason for according exceptional treatment to this prisoner.

MR. T. W. RUSSELL (Tyrone, S.): Was not this rule made to suit the convenience of hon. Members below the Gangway when they were in prison?

DR. TANNER: It was made to suit the convenience of the Belfast forgers.

THE ROYAL COMMISSION ON COAST COMMUNICATIONS.

MR. MORTON (Peterborough): I beg to ask the Postmaster General whether the Royal Commission to be appointed to consider the question of coast communications will also consider the question of rescue work, which in the United States is undertaken by the Government?

SIR J. FERGUSSON: No, Sir; that is not proposed.

LABOURERS' COTTAGES IN THE SLIGO UNION.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and, if so, how many, labourers' cottages have been built in the Sligo Union; whether any difficulties have prevented the erection of cottages; and, if so, whether the Irish Local Government Board will take steps to get the necessary housing and allotments for the labourers?

MR. JACKSON: I am informed that no cottages have been built or authorised in the Sligo Union. It appears that in 1886 a scheme for the purpose was submitted by the Guardians, but fell through, the necessary certificates not being produced condemning the existing dwellings. The Local Government Board thereupon explained to the Guardians the necessary steps to be taken.

GRESHAM UNIVERSITY—THE ROYAL COMMISSION.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the First Lord of the Treasury whether any opportunity will be given of discussing the composition of the Royal Commission on the proposed Gresham University?

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): I do not think that any opportunity is, in the ordinary course of Parliamentary business, likely to occur for the discussion of this question, though, of course, it will be in the power of hon. Members to ballot for a day and to obtain such a discussion if it is desired.

MR. PICTON (Leicester): In reference to the same subject, would the right hon. Gentleman allow me to ask whether it would be possible for him or his colleagues to secure an addition to the members of the Commission; and also if he is aware that much disappointment is felt in consequence of there being no Representative of the Convocation of London University upon the Commission?

MR. A. J. BALFOUR: I am afraid it would greatly militate against the success of the Commission if its numbers were augmented. I do not quite follow the hon. Member's question as to there being no Representative of the London University on the Commission, as Mr. Anstie is connected with that body.

MR. PICTON: Is the right hon. Gentleman aware that Mr. Anstie has taken a prominent part in direct opposition to the Convocation of the London University, and that Mr. Anstie represents the views of the Senate?

MR. A. J. BALFOUR: I am afraid that the remarks of the hon. Gentleman hardly answer the objection which I have stated to exist against augmenting the number of the Commission.

RAILWAY STATIONS—ENTRANCES AND EXITS.

MR. JOHN ELLIS (Nottingham Rushcliffe): I beg to ask the President of the Board of Trade whether the Board have any powers of regulating the width or inclination of entrances to, or exits from, railway sta-

tions; and, if so, under what Act of Parliament; and whether any circular letters or rules have been issued or drawn up respecting the matter; and, if so, whether he will lay a copy of the same upon the Table?

SIR M. HICKS BEACH: The Board of Trade have no power to deal compulsorily with existing stations; but under the Regulation of Railways Act they have power to postpone the opening of any new stations for passenger traffic in cases where the inspecting officer thinks their opening would be attended with danger to the public. Under this Act the Board of Trade issues to Railway Companies a Schedule of the most important requirements made by their officers. This document, which is now under revision, stipulates for certain dimensions of the steps in staircases at railway stations, and I may say that I propose to consider whether any amendment is desirable in the direction indicated in the question.

TUNNELLING THROUGH GIBRALTAR.

SIR H. TYLER (Great Yarmouth): I beg to ask the Financial Secretary to the War Office whether it is proposed to make a tunnel six feet high by five feet wide through the rock of Gibraltar from west to east, and what is the object of such a tunnel; and whether this tunnel will in any contingencies endanger the safety of the city or impair the efficiency of the defences?

MR. BRODRICK: A tunnel is about to be driven into the centre of the rock of Gibraltar in the hope of finding a supply of fresh water. If water should not be found the tunnel will be carried through and utilised to carry a drain through the rock from west to east, in order that the sewage now discharged into the Bay may be carried to the east of the rock and cease to be a nuisance. There is no fear that the tunnel would give an enemy access to the fortress.

POSTAL AND TELEGRAPHIC FACILITIES IN LEWIS.

DR. MACDONALD: I beg to ask the First Lord of the Treasury whether the Government have now completed their late or present investigations into the requirements of Lewis for

Mr. John Ellis

further roads and the improvement of its postal and telegraphic communications; whether any decision has been arrived at in the matter; and if no decision has yet been arrived at, how soon will he be able to inform the House of his intentions on the subject?

MR. A. J. BALFOUR: The investigations referred to by the hon. Member in regard to roads have relation to the Counties of Ross, Sutherland, and Inverness, and the information asked for has not yet been received from the last-named county. The question will be considered as a whole, when the facts are placed fully before the Government; but it is not possible to name a date at which a definite decision can be arrived at. The hon. Member is, however, no doubt aware that in the meantime a new road between Stornoway and Carloway is being constructed out of the £15,000 already voted for that purpose. In regard to postal communication, the special mail service, as arranged by the Postmaster General and the Secretary for Scotland last year at a cost to the Government of £3,000, will be maintained. In regard to telegraphs, a sum of £1,120 was expended last year on extensions in the Island of Lewis, and it is proposed to devote the sum of £1,000 to be voted this year mainly to extensions in Orkney and Shetland.

THE WESTERN HIGHLANDS WORKS ACT.

DR. MACDONALD: I beg to ask the First Lord of the Treasury whether the Secretary for Scotland has, in contravention of Section 2, Sub-section 4, of "The Western Highlands and Islands (Scotland) Works Act, 1891," refused to make inquiry into certain works proposed to be made under the said Act in Ross-shire till plans, specifications, &c., are laid before him as to the proposed works; and, if so, what remedy there is to compel the observance of the Act and procure an inquiry?

MR. A. J. BALFOUR: I answered this question last Monday. I do not know whether the hon. Member desires me to repeat my answer?

DR. MACDONALD: The point in my question which the right hon.

Gentleman seemed to miss was whether the Secretary for Scotland has the right to ask for plans before making an inquiry, and the point is that people are put to the expense of preparing plans, specifications, &c., before they know whether the works will be carried out.

MR. A. J. BALFOUR: The hon. Gentleman will see that I should have some difficulty in answering that question.

PORTNAGURAN HARBOUR OF REFUGE.

DR. MACDONALD: I beg to ask the First Lord of the Treasury if the Government are now prepared to act on the recommendations of the Western Highlands and Islands Commission of 1890, to grant a sum of £30,000, or other sum of money required, for the construction of a harbour of refuge at Portnaguran, in the Island of Lewis, so as to enable the fishermen to prosecute their avocation with some degree of safety and success, and if there is any intention of giving a grant, as similarly recommended, for erecting a lighthouse on Thumpan Head, adjacent to Portnaguran?

MR. A. J. BALFOUR: A sum of £17,000 was voted last year, as the hon. Member must be aware, for the construction of harbours at Ness and Carloway, and there are at present about sixteen applications from the Island of Lewis for piers and boatlips under the consideration of the Secretary for Scotland, which, if granted, would involve a further large expenditure of public money in Lewis. The Government are, therefore, not prepared at present to grant a sum of £30,000 for the construction of a harbour at Portnaguran. Last year £4,500 was voted for the erection of lights, out of which sum £475 was expended on a light at Carloway. There is only a sum of £1,000 taken this year for lights, the main portion of which will be required for lights in Shetland; but the claims of Thumpan Head will be considered next year along with the claims of other places.

BUSINESS OF THE HOUSE.

MR. H. GARDNER (Essex, Saffron Walden): May I ask the right hon. Gentleman the Leader of the House when the Small Holdings Bill will be taken?

MR. A. J. BALFOUR: I do not think it will be possible to take the Small Holdings Bill before next Thursday.

MR. W. E. GLADSTONE (Edinburgh, Midlothian): As great interest is felt, I believe, on both sides of the House, and certainly on this side, in the progress of the Small Holdings Bill, and as there is a great desire to see it disposed of after such amount of discussion as may be absolutely required, we should be very glad to know what is the earliest day upon which it can be brought on; and if there is to be delay, what the cause of that delay may be?

MR. A. J. BALFOUR: Perhaps it would be for the convenience of the House that I should state that when we re-commence the discussion of the Small Holdings Bill we shall go straight through with it. I propose to-morrow to ask the House to give me Morning Sittings on Tuesdays and Fridays. On Monday I shall not be able to carry out my original intention of taking the Second Reading of the Budget Resolutions, because, from what I hear, my right hon. Friend the Chancellor of the Exchequer will not be in his place so early. But I think it would be of great advantage if we could complete the Second Reading of the Scotch Equivalent Grant Bill on that day and advance one or two other subsidiary measures, the further stages of which could be taken at a later date, after we had finished such important proceedings as the discussion on the Small Holdings Bill and the Second Reading of the Irish Local Government Bill.

SIR W. HARCOURT (Derby): Is there any reason why the Small Holdings Bill should not be taken? There is every desire on this side of the House that that Bill should get through at as early a date as possible. Moreover, there is a great deal of interest and curiosity to know what the Government are going to do with the Bill for the Government of Ireland.

We have now had a fortnight's Vacation, and a week after the Vacation has, I may say, been wasted, and we have had neither the Small Holdings Bill nor the Irish Bill; and now, as I understand, the right hon. Gentleman wishes to get rid of next week, and not to bring the Small Holdings Bill on till a week after this date. I would suggest that it would be far more convenient if we could have the Small Holdings Bill next Monday.

MR. T. W. RUSSELL: Can the First Lord of the Treasury say anything about the prospects of the Irish Education Bill?

MR. A. J. BALFOUR: I admit that it is a legitimate curiosity for the right hon. Gentleman to seek to discover the intentions of the Government with regard to the Irish Local Government Bill. But I do not quite follow the tone of his criticisms, and I do not agree with him that the Government has wasted the time of the House this week. We have had only one day, that was Monday, and that day we expended with great advantage in getting through almost all the controversial points in Committee on the Indian Councils Bill. I hope to-night will be equally well employed in passing the Second Reading of the Clergy Discipline Bill, and perhaps some other business. With respect to the Irish Local Government Bill, I have already informed the House that it is to be proceeded with as soon as the Committee stage of the Small Holdings Bill is completed. It would be convenient to take an additional stage of one or two relatively small measures before we reach the Small Holdings Bill; but I cannot say anything with respect to the Irish Education Bill.

MR. BUCHANAN (Edinburgh, W.): The Scotch Equivalent Bill, I understand, will come on on Monday?

MR. A. J. BALFOUR: That is my intention at present.

MR. BRYCE (Aberdeen, S.): I should like to ask the right hon. Gentleman whether he is aware, as he proposes to take the Committee on the Scotch Local Taxation Bill, that a Memorandum explaining that Bill has been published in Scotland only for a very few days, and there has been no time for the expression of public opinion

about it? We shall, therefore, if it is taken on Monday, debate the Bill under very great disadvantages, inasmuch as we shall not know the opinion our constituents have formed of the measure.

MR. SAMUEL EVANS (Glamorgan, Mid): I understand that in the absence of the Chancellor of the Exchequer it is not intended to proceed with the Budget Resolutions; but I hope reasonable notice will be given when the discussion is to be taken.

MR. BARTLEY (Islington, N.): Are the Budget Resolutions to be taken next week, for I understand that Tuesday is taken up.

MR. A. J. BALFOUR: I only said I would not take the Small Holdings Bill before Thursday; but if the Chancellor of the Exchequer is able to be in his place on that day we shall take the Budget Resolutions. I think the House will be unanimous in wishing to get the matter settled; but I am unable to pledge myself in the matter. Due notice shall be given. I will put it on the Paper.

MR. W. E. GLADSTONE: In the event of the right hon. Gentleman obtaining from the House the Tuesdays and Fridays, we have not yet learned how they would be employed; and I may say that we are under the impression that the time might be very conveniently employed in taking the Small Holdings Bill.

MR. A. J. BALFOUR: The order of Business which I have sketched out is only a suggestion, for it is impossible to make a final plan. But this is my idea. To-morrow I shall ask the House to give Tuesday and Friday mornings for Government Business. On Monday the Committee stage of the Scotch Equivalent Grant will be taken. On Tuesday we shall probably take the Committee stage of the Criminal Evidence Bill, and some other important but uncontroversial measure. On Thursday I should hope that my right hon. Friend (Mr. Goschen) will be in his place to deal with the Budget Resolutions; but, if not, it would be convenient to begin the Small Holdings Bill and discuss it *de die in diem*, with the exception, of course, of the Budget discussion, which would have to be interpolated in the unfortunate event

of our not being able to take it next Thursday.

ORDERS OF THE DAY.

CLERGY DISCIPLINE (IMMORALITY) BILL.—[Lords.](—No. 239.)

SECOND READING.

Order for Second Reading read.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): This Bill, which it is now my duty to introduce, will not, I hope, be the subject of prolonged controversy, still less of Party controversy, in this House. But though it may not excite Party feeling, it is one which must have effects of far-reaching importance for the good of the community, and may, perhaps, be productive of more advantages than some measures apparently framed on more ambitious lines. This is a Bill to enable the Church of England, without the present difficulties and complications which embarrass legal procedure in such cases, to remove from the cure of souls clergymen who have shown themselves unfit for their position. The Bill does not deal with any question of doctrine. It does not create any new offences, nor does it create any new punishment. It is a Procedure Bill, and a Procedure Bill alone intended to facilitate the carrying out of the law, the justice of which everybody will admit; and for these reasons I cannot doubt that even those who do not belong to the Communion of the Church of England will be glad to see the Bill carried into law. It may be in the recollection of those Members of the House who have taken an interest in ecclesiastical legislation that in 1870 a Bill was passed by which any clergyman guilty of felony *ipso facto* vacated his living. We propose by this Bill to extend that provision beyond the mere limit of felony, and to include within it indictable offences of a grave kind on which a jury have pronounced, and on which the guilty clergyman has been sentenced to hard labour. We also propose to include cases of bastardy and cases of adultery, so that this Bill would, without any further procedure, broadly speaking,

vacate a living exactly as a felony does under the existing law. One distinction between the procedure with regard to a case in which hard labour has been imposed and the cases of felony to which the present Act extends exists which should be adverted to. Under the Act of 1870, the living is vacated without any further action on the part of the Bishop; under this Act we propose, in so far as these offences are concerned, that the Bishop shall be the instrument to declare the benefice vacant. The distinction is not one of very great importance. A more important part of the Bill, perhaps, deals with the less serious class of offences, which can now only be touched under the Ecclesiastical Law, and here we propose a new and greatly simplified procedure, which I will very shortly explain. In cases where a clergyman has been convicted by a jury, but has not been sentenced to hard labour, and in case he has been guilty of immoral acts or habits, the case will be tried before the Bishop's Court. The procedure before the Bishop's Court will be of the following character. If both parties to the suit are agreed, the Bishop may pronounce a summary sentence. If, on the other hand, the parties are not agreed, but there is no question of fact other than the previous conviction before a jury or before magistrates, the Bishop's Court may pronounce sentence. No question of fact can be discussed by the Bishop's Court; but if a question of fact can be brought forward the Bill provides for the alteration of the Court, and what I may almost describe as a jury of five Assessors is added to the Court. Two of these Assessors are to be laymen and three clergymen, and they may pronounce their judgment on the question of fact, and on the question of fact alone, and their opinion in deciding the question of fact must be unanimous, and if not unanimous it must be by a majority, and with the assent of the Chancellor who constitutes the Court. It will be observed that these five Assessors are only to be called in when questions of fact come before the Court. They will be called in if the incriminated clergyman has been tried by a jury or by any Court from which there is an appeal of which he

has not taken advantage. But if he has been tried for drunkenness and summarily convicted, and if, therefore, he has been convicted under circumstances where he had no appeal, then the facts of the case must be re-heard, and he may in that way be saved from any possible error of justice arising out of the first hearing. Again, the question of fact will arise necessarily in those cases where a trial has not taken place either before a jury or before the Magistrates, and where the clergyman is accused of having been guilty of some immoral practice or habit. These are the cases, and the only cases, in which questions of fact will come to be dealt with by the Bishop's Court, and in these cases, as I have already explained to the House, the Court will be assisted by the presence of the five Assessors, who will be called upon to express their opinion on the questions of fact submitted to them. It will be seen that the clergyman has an appeal on the question of fact to the Bishop's Court only when he has been summarily convicted, or when he has had no opportunity of appealing to the ordinary law; let me now state the cases in which he will have an appeal from the Bishop's Court to a higher tribunal. There may be an appeal either to the Provincial Court or to the Judicial Committee of the Privy Council on questions of law by either party. That is to say, that either side may carry a question of law to the Provincial Court which is practically Lord Penzance's Court, or to the Judicial Committee, as they may desire. But if the question is taken to the Provincial Court there will be no further appeal to the Judicial Committee. The parties may appeal to either one of the two Courts, but there can only be one appeal. On questions of fact the prosecutors have no right of appeal at all, but the defendant has a right of appeal again, either to the Provincial Court or to the Judicial Committee if permission is given by those Courts, and they must give permission if the incriminated clergyman can show a *prima facie* case. So that, again, the incriminated clergyman has his interests amply safeguarded, and not only on the point of law, but also on a question of fact, can have an appeal to a Superior Court if

he can show any cause why his appeal should be heard. So much for the procedure under this Bill. With regard to the sentences, they are practically—I do not say technically, but substantially—identical with those existing at present. They consist of deprivation, suspension, and admonition. But if there are no new sentences created by this Bill any more than any new offences, there is a new principle introduced into it by which the sentence is to be awarded. At present the Courts are bound by precedent, and they can only give a sentence in accordance with a long series of precedents in similar cases. But these precedents were not fixed on any principle which would commend itself to this House or to public opinion. The old theory of the Ecclesiastical Law was that the sentence was passed on a clergyman not so much for the benefit of the parishioners as for the benefit of his own soul; and therefore it was very often thought that suspension for a brief period might be sufficient for the spiritual welfare of the clergyman, although he was brought back again after such suspension to attend to the spiritual welfare of the people, and naturally, in too many cases, with disastrous results. I believe the Archbishop, in another place, gave an example of what might happen under these circumstances. A clergyman was brought before an Ecclesiastical Court on a charge of drunkenness and was suspended for six months. The six months elapsed, and on his return to the parish he preached a sermon to his congregation explaining what an agreeable holiday he had enjoyed. That, everybody will admit, would be a gross scandal, which is not at all diminished by the fact that in order that this six months' suspension could be inflicted—if that is the proper word—upon the clergyman, a very costly process had to be gone through by the Bishop of the diocese. It only remains to add to this brief outline of the Bill to say that the rules for carrying it into effect will be framed by a Committee of the Privy Council, consisting of the Lord Chancellor, Lord Coleridge (the Lord Chief Justice of England), Lord Penzance, and those Archbishops and Bishops who are members

of the Privy Council, and in any decision with regard to the framing of these rules two of the great legal luminaries I have mentioned must be included. I think it will be admitted that a Committee so constituted will very competently perform the duties which will be entrusted to them. We may safely believe that they will frame rules which will safeguard the interests of all parties in cases which may come up for decision before these Courts. I do not think any one who has heard this brief account of the Bill will think it is one that can by any possibility inflict inequality or injustice upon any clergyman who may be dealt with under it. But full advantage and the full necessity for a Bill of this kind cannot be really understood by anyone who has not mastered, at least in outline, the cumbersome character of the machinery by which these offences have to be tried. I understand that if an incriminated clergyman desire it there must, under the present system, be three distinct trials, in which all the questions of fact may be re-heard and re-determined, and these three trials may, under certain circumstances, be extended to four. I need not say to any Gentleman who is even moderately acquainted with legal practice that a procedure which involves three distinct trials, three distinct re-hearings of a question of fact, is a system that is extremely cumbersome, extremely expensive, and extremely unjust to those who are the prosecutors, and in some cases even more unjust possibly to the defendant. This procedure is not only inordinately long and inordinately expensive, but it also belongs to so ancient a period that points of difficulty are constantly arising and technicalities are constantly being started which render the progress of justice necessarily slow, halting, and hazardous. We propose to substitute for this technical, this cumbersome and inordinately costly process, a process which we believe will be cheap, rapid, and just; and we cannot doubt that the result of this enormous improvement in the administrative machinery of the law will be to enable the Church to purge herself of an element—a very small element, I believe, but not the less a very deleterious and injurious

element—which now hinders her work, hampers her efforts, and disgraces her character. I hope that this Bill, on which I do not think it necessary to spend any more words, but which I hope I have made clear, at all events in its main lines, will commend itself to the House. The clergy, who in some respects are the parties most immediately affected by it, have expressed by every means in their power, through the action of the Archbishops and Bishops, through the action of individual clergymen, and through the Convocations of both Provinces, their approval of its main principles. Where they approve I think the laity need not withhold their approval, for, after all, the laity are not less interested than the clergy in seeing that unworthy clergymen shall be prevented from taking any further part in the cure of souls. I notice on the Paper three Amendments to the Second Reading. Two of them appear to give reasons why the Bill should be rejected. One of these stands in the name of the Member for Mid Lanark (Mr. Philipps), and he proposes to move: "That while the Government fails to provide opportunities for the consideration of many important measures affecting great masses of the community, this House declines to devote its time to the discussion of Clerical Discipline." The hon. Gentleman appears to think that this Bill does not affect great masses of the community. I cannot agree with him. It is perfectly true that the persons primarily affected by the measure are the clergymen of the Church of England, but the Church of England as a whole is vitally concerned in the process of purifying her ranks, and with the successful prosecution of that process is also bound up the spiritual welfare of a large mass of the population. It is no small and tentative measure for dealing with the interests of a small portion of the population; its effects are as widespread as are the efforts of the Church with which it deals; they are as far-reaching in their consequences as any measure that has ever been brought forward in this House—I care not by what Government or in what interest—and it does not lend itself to the criticism which the hon. Gentleman appears to desire to pass

on it, that it is concerned with a small and insignificant fraction of the population. It is a National Bill, and as a National Bill I venture to recommend it to the House. Another Amendment stands in the name of the hon. Member for Carnarvon Districts (Mr. Lloyd-George); he desires to move—

“That this House, whilst deploring the circumstances which have occasioned the introduction of this Bill, considers that it is no part of the functions of the State to attend to matters of Spiritual Discipline.”

Now, Sir, I do not know whether the argument of the hon. Gentleman will rest on the question of the propriety of the Establishment of the Church or not; he and I differ on that point; but because we differ on that point I fail to see that there need be any difference between us as to the propriety, and even the necessity, of passing this measure. The Church, whether it ought or ought not to be established, as a matter of fact is established; and the hon. Gentleman—whatever may be his forecast of the future—can hardly think it probable that in any brief period he will see the connection between Church and State severed throughout the whole of England and Wales. He cannot expect, in the present temper of the public mind, whatever may be his view as to what is desirable, to effect that severance of the Church and State which is part of his political—I had almost said of his religious—creed. But, Sir, so long as the Church and State are connected, surely the very first duty of the State is to see that the Church has power to enforce among her own ranks that morality which is not the property of the Church of England alone, or, indeed, of religious bodies alone, but is the common property of the whole civilised community. I shall appeal, Sir, in support of this Bill, not merely to those who are members of the Church of England, but to every man who desires to see the interests of morality and the interests of religion supported throughout the country. It has been suggested—I hope it is nothing more than a suggestion—that there are some politicians so anxious to see their views on Church policy carried into practical effect that they would prefer seeing the Church of England weighted by this

small handful of immoral clergy; they would rather see her lose in public estimation by being compelled to avail herself of the services of these unfit instruments, than lose what they regard as a card in their hands which they might play to secure some political or ecclesiastical triumph. They are prepared, in other words, to purchase what they conceive to be an advantage to some other religious community by seeing what, after all, even they must admit is the largest, one of the most useful, and one of the greatest religious instruments in the country, rendered less efficient for its purpose, because they refuse to do what the Church asks for, and to allow these unworthy clergymen to be deprived of spiritual functions in her midst. I am willing to believe that this suggestion has no foundation in fact. I am not willing to believe that this Bill, which nobody can doubt is an advantage to the Church of England, will be resisted by those who desire rather the advantage of some other religious denomination. I am sure, Sir, that the Members of those other denominations would be the first to express their loathing and abhorrence of the policy which even secular moralists would reject with scorn and disgust; and I hope, therefore, if it be admitted, as I think it must be admitted, that this Bill is one which is required for the amendment of the existing ecclesiastical law, and is one which is urgently needed in order that those few ministers of religion, found here and there in different parts of the country, who are a disgrace to their cloth and that of the religion of which they are ministers, may be deprived of their functions, and which can by no means injure any other religious community in the country—I hope that all of us, to whatever denomination we belong, will heartily join in passing it rapidly through its stages, and in freeing the Church of England from an unmerited reproach for which we shall make ourselves responsible if we do not aid her to get rid of it by using the powers entrusted to us. I appeal to all present, whether they desire the Establishment to be maintained or to be dissolved, whether they think the present constitution of Church and State be right or wrong, at

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all events to aid in promoting that which we are all agreed is right, and in preventing that which we must all admit is most unquestionably wrong. I beg to move, Sir, that this Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. J. Balfour.*)

(6.37.) MR. LLOYD - GEORGE (*Carnarvon, &c.*): I beg, Sir, to move the Amendment which stands in my name on the Paper. The First Lord of the Treasury stated that there was a suggestion abroad that opposition was promoted by endeavouring to perpetuate certain scandals in the Church in order to enforce Disestablishment. To those ready to believe any sinister motives which are attributed to Liberationists it would be idle for me to say anything; but to those willing to be convinced may I point out that never in my recollection has there been a single speech by a prominent Liberationist in Wales which has endeavoured to make political capital out of these cases of scandal? I do not recollect a single instance alluded to in any of these speeches. Every Nonconformist deplores the existence of immoral clergymen, if there be such, and no Liberationist would endeavour to perpetuate those deplorable circumstances. We oppose this Bill on totally different grounds. If it were merely a question of Disestablishment we could do nothing better than support the Bill, for nothing would do so much to widen the agitation in favour of Disestablishment. At a Church meeting the other day an eminent clergyman said—

"I was talking the other day to a dignitary of the Church and a member of Convocation, and he said to me, 'I have come to the conclusion most slowly and reluctantly that the only way out of our troubles is a sweeping measure of Disestablishment and Disendowment.'"

The passing of the Bill would facilitate Disestablishment. Another ground for opposing the Bill is that it will not get rid of the immoral clergymen. The difficulty of the Bishops at present is not altogether one of procedure; it is mainly the difficulty of securing evidence. Witnesses who will give evidence at a private Church meeting object to being taken from Court to Court, badgered,

cross-examined, and treated as perjurers. That difficulty this Bill does not touch in the slightest degree. We suggest that the remedy is the emancipation of the Church from the State, which would leave to the Church itself the duty of getting rid of the immoral clergymen, and the Courts would not be Civil Courts, but ordinary Church meetings or meetings of Church dignitaries. Another ground of objection is that the First Lord of the Treasury has not made out a case to justify the setting aside of important legislation for the purpose of passing this Bill. He has made out no case of urgency for it; while there is other legislation of the foremost importance to the mass of the community waiting to come on. There is the question of temperance, affecting the comfort and health of the great mass of the people, and who would for a moment compare the injury done to the security of religion by occasional criminous clerks to that done by the existing temptations to drink? Yet the Government can find time to deal with the ecclesiastical question, but not to deal with the other and more important one. Then there is the question of District Councils, which are necessary to solve the great social problems affecting the rural districts; but the Government cannot find time to deal with that. Is there any urgency for this Bill? The right hon. Gentleman objected yesterday to the Bill for remedying the grievance of Nonconformists as to sites for places of worship on the ground that no case had been instanced where Nonconformists had suffered a grievance in that matter. What instances has the right hon. Gentleman given in support of this Bill; he is very exacting with regard to a Nonconformist grievance, but is very lax with regard to a Church grievance. He instanced one case which has been trotted out over and over again in these discussions; but I maintain that no case has been made out to justify the setting aside of more important legislation to allow of the passing of this Bill. I think the right hon. Gentleman rather made out a case in opposition to the Bill, for he stated that the cases were very few. That was also the view of the Archbishop who introduced the Bill last Session.

and who said that the cases were becoming fewer every year. So we see that the Government can bring in a Bill to deal with a grievance which is constantly diminishing, but it cannot deal with a grievance which is becoming worse year by year. If this were a question of getting rid of criminous clerks, perhaps hon. Members would be prepared to support it; but it is not, and there are other means of getting rid of them. The present law is sufficient for the purpose. The reason given for the introduction of the Bill is the liability of the proceedings to be upset by technicalities, and the cost to the Bishops of appeals. These liabilities the Bishops suffer in common with every other suitor in the country. It was said that one Bishop was delayed five months in getting rid of a criminous clerk, but in the Court of Chancery a man may be delayed five or even ten years, and to meet the cost would have to spend all his available means—and not merely a part of a year's income—and might then by the merest technicality absolutely fail to get the relief which he ought to have succeeded in obtaining. If we are going to improve the procedure, let us improve it altogether, and not so that it will only benefit one or two persons in eight or ten years. This is not a measure to get rid of criminous clerks; it is a Bishops' Relief Bill and nothing else. It is time to get rid of these Clergy Relief Bills. Some time ago the clergy in Wales found their bailiffs' bills getting too heavy, and important measures were stopped to discuss and pass the Tithes Bill, and now we have a Bill to save the patience and purses of the Bishops. It is not right, when such measures as the Irish Local Government Bill are waiting, to bring forward such a measure as this. The Irish Bill was to be the crowning glory of the legislative achievements of the Government, and I submit that no ground of urgency has been shown for putting that Bill aside to pass a measure to cheapen the process for getting rid of criminous clerks. I object to this Bill also on the ground that I do not regard it as part of the functions of Parliament to attend to spiritual matters. I am not concerned now to controvert the right hon. Gentleman's

statement that the Establishment will probably continue for some years in England; but I am perfectly within my right in discussing whether it is right of the House of Commons to interfere in matters of this character unless it is in a case of the most crying urgency which it would be utterly impossible to dispose of without a Bill. Parliament is not fitted to deal with these matters. It is elected by people two-thirds of whom are not adherents of the Church of England, and it is elected for secular purposes—for dealing with questions of finance, of peace and war, and for solving great social problems—and not in any sense for dealing with spiritual discipline and questions of that kind. It may be said that the success of the Reformation Parliament proves the fitness of Parliament to deal with such matters; but reform of the Church was the great question in the public mind at that time, and that Parliament was elected specially for dealing with it. This Parliament was specially elected to repudiate a financial transaction relating to land purchase, and the fact that it has carried a worse proposal in spite of its pledges does not fit it to deal with spiritual matters. For that reason I strongly object to the Bill. An eminent ecclesiastical lawyer said that he was quite as anxious as any supporters of the Bill to relieve the Church; but, at the same time, he considered that this relief would be obtained at too great a sacrifice of an important and valuable principle, as it was by supporting a Bill acknowledging the right of interference of the State. We take exactly the same position so far as that is concerned. Sir Walter Phillimore holds that there is a principle that the State ought not to interfere in matters of spiritual discipline, and we cannot on that ground see our way to support the Bill. Assuming even the case of urgency, and the right of Parliament to interfere, I maintain that this is not a fit and proper Bill to pass in relation to such a subject. Looking at the Bill clause by clause, it seems to me to be a most extraordinary one. The first clause provides that—

"If a clergyman is convicted of treason or felony, or is convicted on indictment of a

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misdeemeanour, and on any such conviction is sentenced to imprisonment with hard labour or any greater punishment, or an order under the Acts relating to bastardy is made on a clergyman, or a clergyman is found in a divorce or matrimonial cause to have committed adultery,"

then the Bishop shall declare the living vacant. If he receives a free pardon, then the Bishop shall re-instate him without making any inquiry at all; he is merely a puppet in the hands of the magistrates, and, moreover, if he refuses after 21 days to carry out that order, then the Archbishop is compelled to declare the living vacant. If I were a member of the Church of England, I would never dream of supporting such a measure as inflicts such an indignity and humiliation upon the Bishops of my Church. What did the late Archbishop of York say about it? He said—

"I may think that a man ought not to be deprived. Am I to come in, thinking all that, and as a mere machine, a mere crier of the Court, to declare him deprived—what I think he ought not to be?"

Certainly, that is a most sensible comment upon it. The second clause is quite as bad—

"If a clergyman is charged with immorality, he may be prosecuted by the Bishop's Court."

The First Lord of the Treasury stated that by consent a clergyman might refer the whole matter to the Bishop's Court. I do not see anything about consent here. But what is the procedure? The complaint is to be investigated by the Bishop; but he is simply to decide whether there is a *prima facie* case. He is not allowed to decide a question which involves immorality and the spiritual conduct of one of his own clergy. He simply decides whether there is a *prima facie* case to present, and then he puts it into the hands of a number of laymen.

"If the defendant so desires it, he may call upon five Assessors to decide the matter; two of them to be Justices of the Peace or holders of a judicial appointment."

The right hon. Gentleman made another mistake there. He stated that three of the Assessors should be clergymen and two laymen. There is nothing about that here. There is a provision that the minimum of laymen should be two, but it says nothing

about the maximum; and, of course, they may be all laymen. Coming to the third clause, from the statement of the First Lord of the Treasury we were told that this is a Bill to get rid of appeals. What is proposed? That "either Party may appeal upon a point of law." Of course, it is on a point of law that most of these cases have been fought—upon little legal technical questions. Therefore, you do not get rid of the greatest grievance which is the main factor in the introduction of this Bill. The incriminated clerk goes on appealing from Court to Court at the same expense to the Bishop as is already complained of as in existence. If a defendant desires to appeal all he has to do is this—simply to go to an Appellate Court and make out a *prima facie* case upon an *ex parte* statement; no one to contradict or oppose him. How very easy a matter it is to make out a *prima facie* case upon an *ex parte* statement. If you want to get rid of appeals you must get rid of this clause altogether. Then I wish to call the attention of the House to the fifth sub-section of that clause. We have heard complaints about the delay in getting rid of incriminated clerks. This fifth sub-section says—

"If there is an appeal, the sentence shall be suspended until the appeal is determined or abandoned, and for the purpose of any inhibition be deemed not to have been given."

All the incriminated clerk has to do is this—if he wants to occasion delay, if he wants to retain office, and to create all that scandal which we have heard so much complaint and denunciation about—all he has to do is simply to appeal upon some point of law, and, of course, that takes a very long time before it is decided at all in an Ecclesiastical Court. He gets up some sort of *prima facie* case, and while the appeal is pending, the decision of the Primary Court suspending him is done away with, and absolutely he carries on his functions and duties exactly as before. Now, there is another clause, the fifth clause of this Bill, which is also a most astounding one. Clause C in that sub-section proposes that, notwithstanding the order for suspending a clerk from his duties, the Secular Court may give him leave to discharge his

duties. That is a most extraordinary provision. There is a second sub-section, sub-section B of that clause, which is also a most extraordinary provision—

“The incapacity of a clergyman shall not extend to any preferment which the Bishop of the diocese and the Archbishop of the Province in which it is situated shall allow him to hold.”

That is, a Secular Court can deprive a criminal clerk of the power of exercising his duties in his parish, and the Bishop has no right to interfere at all, whatever his opinion may be, whatever new facts may be discovered, whatever new idea he may have of the innocence of the incriminated clerk—that particular Bishop is not allowed to interfere in that particular parish; but he can give the incriminated clerk power to exercise his functions in another parish. The best thing the Government could do would be to adopt the suggestion made from time to time by Convocation and other Ecclesiastical Bodies to submit the Bill to Convocation, and let them submit their Report upon it to the Government. Then comes the sixth clause, and here, again, I really cannot understand how a Church is to tolerate a section of that character. The matter of expelling a member, a clerk of their own Church, the question of framing rules, is to be handed over to the Rule Committee, which is to consist of the Lord Chancellor, the Lord Chief Justice, a Judge of the Provincial Court, and such Archbishop or Bishop as may happen to be members of the Privy Council. At the present moment I believe there is only one Bishop who is a Member of the Privy Council, so that the lay element upon this Committee will predominate. In the Definition Clause I find it stated that the Assessors may consist of police magistrates. What does the proposal all come to? It comes to this: that the Church of England, as the most powerful Spiritual Court in the country, is to be deprived of powers which are inherent in every other Society in the Kingdom, that of expelling its own officers and members; that it is not to enjoy the rights which are exercised by every Parlia. Piccadilly—not only that, but ters. fions of her own Bishops on trovert *Lloyd-George*

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spiritual matters are, merely at the requirement of an immoral clergyman, to be subjected to revision by a couple of police magistrates. She is not to be allowed to frame a few simple rules to govern her conduct in matters of discipline, and the Archbishops and high dignitaries in the Church are to be converted into mere “Court criers,” in the words of the late Archbishop of York, to announce the decrees of the Divorce Court, and also bastardy orders against their own clergymen. A more astounding Bill never was heard of. As a Nonconformist it passes my conception to understand the frame of mind which would enable any clergyman, any member of the Church, to tolerate a Bill of this character for a moment. The policy of this Bill seems to be a policy of suspicion at every corner—a constant, incessant, unintermittent suspicion of every act of the Bishops, Archbishops, or spiritual leaders in the Church. It is simply astonishing to me. It simply proves how very demoralising an effect the connection of the State must have upon any Church, that two of her Archbishops should introduce and press forward a measure which inflicts such unmitigated humiliation upon their own order and upon their own clerks. I observe on the Paper that a notice has been placed by the First Lord of the Treasury that this Bill is to be relegated to the Standing Committee on Law. The House will remember that there was a Bill introduced a short time ago on behalf of the Nonconformists with regard to the enfranchisement of places of worship. We knew that there was not the remotest chance of that Bill passing this year unless facilities were given for the purpose; but the right hon. Gentleman not only refused to give any facilities whatever, but actually refused to send it to the Standing Committee on Law. But he not only presses this Bill forward when there is other important legislation waiting for submission—he goes beyond that, and actually proposes to submit the whole of this Bill to the Committee on Law. I assure the right hon. Gentleman that he will gain very little by it.

It will be our duty, when it returns to the House of Commons, to discuss every Amendment which we might have proposed and considered if the Bill had passed through the Committee of the House, especially having regard to the fact that he absolutely refused to extend the same courtesy and measure of justice to the Nonconformists as he is now willing to extend to the Church. There is an agitation in the Church for Disestablishment. Even that is preferable to a Bill of this character. When the Church was more the master of the State, instead of being its slave, she did more for the progress of human liberty than she is doing at the present moment. She emancipated the slave, and started the agitation which induced King John to give Magna Charta; and she protected the poor and weak when they were sorely in need of protection. But since she has absolutely surrendered her liberty, there is not a single instance in which the Church has led any emancipating agitation at all. On the contrary, the whole weight of her influence has been cast on the other side. If it were only for that reason, I should give my most strenuous opposition to this Bill. I beg to move the Amendment which stands in my name.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "this House, whilst deploring the circumstances which have occasioned the introduction of this Bill, considers that it is no part of the functions of the State to attend to matters of Spiritual Discipline,"—(Mr. Lloyd-George.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(7.23.) MR. W. E. GLADSTONE: I have listened with great care to the elaborate speech of my hon. Friend, and with anxiety to take the just measure, so far as I could, of the arguments he has used against the Bill, with regard to which it must be generally admitted that it presents on the face of it very considerable *prima facie* evidence in favour of its adoption. I confess I was disappointed in my examination of his arguments. I do not

think my hon. Friend has failed in his task—that is, I have no reason to believe that any other hon. Member of the House could have made a better case than he has made; but when I look at the arguments themselves by which it must be decided, what do I find? I find, so determined is he to enlist in his service all and every description of plea that it is possible to attach in any manner to the question, that he actually presents it to the House as a reason why we should refuse the Second Reading of this particular Bill that the right hon. Gentleman the Leader of the House has, in his judgment, behaved badly in respect to another Bill which was intended to relieve Nonconformists in regard to a particular grievance. Can the misconduct of the right hon. Gentleman—which, of course, I am bound to believe in for the purpose of argument—can the misconduct of the right hon. Gentleman in another case be a reason for one feather's weight why we should do less than justice on this particular occasion? If that be so, what connection is there between the proceedings of the right hon. Gentleman on another Bill and the course which my hon. Friend recommends with respect to this Bill? Now, my hon. Friend said—I think this was the first objection he took—that this Bill would tend to promote Disestablishment. I confess to a certain amount of suspicion that if that were a conviction strongly felt by my hon. Friend there would not have been such a fund of hostility available against this Bill as he has spent so liberally upon the present occasion. After all, most of this argument of my hon. Friend has been put forward because he did not wish broadly to rest his case upon the proposition that being a friend of Disestablishment he wishes to make Establishment so uncomfortable that he will bring those who support Establishment to his way of thinking, and allow him to disestablish the Church. My hon. Friend says—he makes no secret of that in certain parts of his speech—he says that the regulation of spiritual discipline is no proper portion of the duty of Parliament; that we were elected for other pur-

poses. Well, whether we ought to be elected for other purposes exclusively is a very broad question upon which it is not necessary for me to give an opinion upon the present occasion. As regards a certain portion of the country, I myself, 20 years ago, held a pretty strong opinion to that effect, and I did what I could to give effect to it. As regards a portion of this country, I agree with my hon. Friend, and should be prepared to give effect to that opinion; but, broadly, I must join issue with my hon. Friend upon the question whether, because we approve of Disestablishment—I take it in the case of Wales—whether because I approve of Disestablishment I am, therefore, to be justified in saying I will absolutely refuse to cure any defect or to remove any scandal in a Church which I think ought to be disestablished. It appears to me there is no escape from this dilemma. You have got an Established Church in Wales—I am taking the argument upon the broad case most favourable to my hon. Friend's view—we have got an Established Church in Wales. He thinks, and I think, that it would be just to the people of that country that that state of things should be brought to an end; but it is not in my power, or in his power, to bring it to an end at the present time. He knows that the House has refused to do it this year. He does not know when it can be done; but what I affirm most seriously, without the slightest hesitation, is, that when there is a certain legal state of things of which you disapprove, but which entails certain necessary consequences right in themselves, you are bound, when you cannot alter that state of things, to accept the consequences of it, and give effect to what is just, what is politic, and what is prudent under that state of things of which you disapprove. Until my hon. Friend is disposed frankly to admit that proposition, I really hardly know how to get on an equal and fair level ground of argument with him in respect to this case. My hon. Friend finds, as I have said, any argument his ingenuity can suggest good enough to use against this Bill. He takes up very warmly in one portion of his speech the case of the Bishops, and

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says it is most hard upon them that they should be reduced to the position of mere passive instruments of a Court with which they have nothing to do. Surely, Sir, it is an answer to say that this is a case of *volenti non fit injuria*. The Bishops have had the opportunity of giving their opinions and their votes in the other House of Parliament. My hon. Friend has said that it would be much better to refer the matter to Convocation. I hesitate very much about adopting that principle. We are dealing not with spiritual matters only, but with the regulating of their civil consequences. The right of a clergyman to his living is a civil right, and the deprivation of the living for an offence which falls within the cognisance of the ordinary laws of the country ought to depend upon the action and the judgment of a civil tribunal. My hon. Friend, I am sure, would not like consciously to make a reactionary speech; but when I heard him deliver his opinion upon that portion of the case, my mind reverted to the period when every crime of a spiritual person—that is to say, of a clergyman—was tried exclusively in a Spiritual Court. It was considered a great advance in the principle of Government when at length clergymen were made amenable to the ordinary law of the land with respect to all offences that are properly the subject of cognisance of the ordinary law. My hon. Friend is not always so kind to the Bishops as he was when he complained of their being made the passive instruments of the Courts of Justice. He has said that the Bishop has no hardship whatever with respect to the costliness of these proceedings. As far as I have heard, the cost was from £1,000 to £2,000 a year to get rid of a delinquent clergyman. Now, many of the Bishops have salaries amounting to £3,000 a year, subject to heavy expenses on the assumption of their office, and to incessant calls of every description. They take part in every benevolent work. Not to speak of social efforts, they have especially to support every movement connected with the spiritual and ecclesiastical welfare of their dioceses. It would be supposed that a man with £3,000 a year, who is generally a married man—

and whom the country generally wishes to be a married man—might be in some difficulty if, out of his £3,000 a year, with a diocese of five or six hundred clergymen, he would in a particular year have to deal with a couple of criminous clerks, and having paid £3,000 or £4,000 to dispose of those clerks, he had next to consider in what manner he was to pay his butcher and his baker. In this instance I think the speech of my hon. Friend has not exhibited that acuteness which, I admit, characterised what he said on almost every point he has taken, for he said that the case of a Bishop is simply analogous to that of any other suitor. For my part, I think the case of a Bishop is altogether different. The suitors whom my hon. Friend referred to as suffering great hardships are men prosecuting their own interests; but the case of the Bishops is, I believe, the sole case that you can name in the country of a public officer, who, out of his own funds, given for his own subsistence, is called upon to spend large sums of money in going to law for the purpose of getting rid of a delinquent clergyman. I do not deny that there are difficulties requiring to be seriously pondered in the details of the Bill. My hon. Friend said that a few simple rules could easily be framed by Convocation; but the manner and conditions of depriving men of their property—and they ought to be deprived, I admit—are by no means very simple. On the contrary, these conditions are very serious, and it is for these very reasons that it is desired to go into Committee. It is in Committee on the Bill, and not on the Second Reading, that the objections of my hon. Friend can be considered with care and with advantage. The hon. Member says that this measure will not get rid of criminous clerks. Is that a reason for rejecting it? Do Courts of Justice get rid of criminals in other matters? Would you, if you had no Courts of Justice, reject a Bill for establishing one, because you were told by an opponent of the Bill that it would not get rid of criminals? Then my hon. Friend says that criminous clerks have reached the vanishing point. I am not certain that they have reached

the vanishing point. My impression certainly is that they are too numerous for that to be said with accuracy. The clergy of the Church of England number twenty thousand, but happily they are a body mainly devoted to their religious duties, and as much detached from worldly interests, and certainly from actions—in the sense of anything like criminal action—as we can reasonably hope to see. Exceptional cases there will certainly be, and it is perfectly plain that if we have an Established Church in the country, and these cases of exceptions are to be submitted to Parliament in order that they may be appreciably dealt with, and Parliament refuses to deal with them, Parliament becomes responsible for the evil complained of. There is no escape from that. Here are certain evils which are gross evils, within a circle, and if but one case comes up in the Courts in a year, there is ample reason why we should get rid of that case. If we refuse to do so, unless on broad grounds, and intelligible to the people, we become responsible for the mischief of those whom that mischief most grievously affects. My hon. Friend says that the Church of England includes only one-third of the population of Great Britain and Ireland.

MR. LLOYD-GEORGE: I said that the Representatives of Great Britain and Ireland would take part in the discussion of a Bill which does not affect one-third of the population.

MR. W. E. GLADSTONE: That is precisely what I supposed my hon. Friend said. I entirely differ from him in his estimate of the numbers, but I regard this as a secondary matter. If it were true that the Established Church of England included a minority of the people instead of a majority, that would not constitute, in itself, a valid reason for the rejection of the Bill. Then my hon. Friend says the question is not urgent, but he is not responsible in that point. It is the Government who are invested with the direction, to a certain extent, of the time of the House. The Government say—"There are abuses and scandalous mischiefs which do great evil, offend the country, and disgrace the Church; will

you remove them? Say 'aye' or no.' I must answer "aye" or "no." I cannot give a "no," because I cannot for a moment think that it is improper for this matter to be discussed. I will not go into details, but we are called upon to look at certain broad facts, and there is one fact which it appears to me is incapable of denial, and which it is our duty to look in the face. We are dealing with a case that is somewhat peculiar. This is a Bill against a class; it is a Bill to make the law more stringent and severe, I admit, by a change of procedure which is essential, because it makes a difference between the immunity of offenders and the enforcement of an effective discipline. Offences which society condones or looks upon with a certain degree of, perhaps, misapplied leniency, are brought into the Bill, and entail very severe and sweeping consequences; well, this severe and highly penal measure is presented to us by whom? Not by those who are moved by the outcry of the community, but by the very class against whom these severe provisions are directed, and who ask you to make the law strong, and to make it penal in order that they may be preserved from the impurity which offending members import among them. Anti-professional legislation, laws imposing restraint and penalty on particular classes of men are not generally promoted by those classes. Laws of this character only derive their forward impulse from extraneous opinion, and a general movement of the public mind; but here we have a case in which the particular class which is to be subjected to these stringent and severe provisions, are those men who are almost the only petitioners for the passing of this Bill. I must put it even to my hon. Friend that such a state of things as that, such a position as that, does give these parties a very strong claim upon our favourable consideration. The question is asked—who are interested in this legislation? No doubt the whole body of the clergy; no doubt the Bishops, who, so long as they continue to be public officers entrusted with the discharge of their ghostly duties, we must regard as interested parties. But by

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far the most interested of all are the local communities to whom these guilty clergymen are bound to minister. I set aside all question of Establishment or Disestablishment. As affecting the present measure. I affirm, as a matter of fact—as a matter of social fact—that in the present circumstances of this country, the clergyman, being upon the ground in our parishes, especially in all the rural parishes, is personally so important, not merely from his directly spiritual duties, but from his position in the parish that the entire parish, Churchmen and Non-conformists, are all interested in his character and reputation. I set aside the question of the proportion of Churchmen, whether it is two-thirds or one-third—I do not care what the proportion is—I affirm that the whole local and parochial community has a deep interest in being purged of these plague spots. I ask my hon. Friend not to interpose unnecessarily, not to search with something of feverish heat for arguments of all kinds, in order to put this Bill away. Look stringently if you like at the details of the Bill; take what objection you like to them; state fairly your objection to be called upon to deal with the subject at all. It is quite fair that in considering it you should do it only under protest; but do not attempt to stop the progress of the measure by opposition pushed to lengths which might be undue. When you bear in mind that the main purpose which has been in view is, and must be, not the mere infliction of penalties upon a number of persons, who deserve it—a number which is admitted on all hands to be an extremely small one—not a mere desire to give greater efficiency to the Bishop's office by relieving him of costly charges which are really intolerable—it is your duty, your sacred duty to the parishes of the country, to enable them to have a reasonable hope of seeing the important office—for such it must ever be—of their clergyman, filled by one who does not degrade it by constant misconduct.

Mr. PHILIPPS (Lanark, Mid): There are many supporters of the hon. Member for Carnarvon who, believing

in the promises of the right hon. Gentleman the Member for Midlothian, look forward to the speedy Disestablishment of the Church in Wales, and, therefore, do not wish to see the time of the House wasted in patching up an institution which is likely to be abolished in a few months or in a year. The attitude of my hon. Friends below the Gangway is this—they refuse to take upon themselves any responsibility for legislating for a State Church. They do not believe in a State Church; they want to see it abolished. They also consider that this House is not a tribunal for the discussion of ecclesiastical matters. It will be remembered that when the right hon. Gentleman the Leader of the House was recently appealed to to give further time for the discussion of the Eight Hours Bill for miners, he said that it was absolutely impossible to do so. Since then, however, he has been taking up the rights of private Members, and proposes to do so again immediately. When he gets the time he devotes it to the consideration of questions which affect a few score of people. On looking through the Order Book I find that over 230 Bills have been put down for this Session, and I see nothing in this Bill to account for its being singled out from among the others as a Government measure. The Government have even taken away the day that had been set apart for the discussion of the Scotch Crofters' Bill. This Government is not going forward with the interests for which it was elected. It did not come here on a Church programme, but to maintain the unity and the integrity of the British Empire. In that direction there has been a Bill for strengthening the Criminal Law in Ireland, another Bill for the Land Law, and the Local Government Bill; and here, in the last Session of Parliament, we have not even reached the Second Reading of a measure which is to redress grievances in Ireland. Is there any pressing need for this Bill? Do hon. Members on the opposite side consider that there is a pressing need for this Bill? ("Yes.") Then the need has been going on for some time, and they must believe, too, that there are clergymen who have

been convicted of treason-felony, or have received orders relative to bastardy, or have been convicted of misdemeanour. I say it is an argument against the Established Church that men continue to countenance that Institution, when they believe that wrongs of such nature are in pressing need. I do not believe that Parliament is likely to be successful in legislation of this kind. The Public Worship Regulation Act, passed by Lord Beaconsfield's Government, was supposed to heal the wounds of the Church; but I venture to say that it caused the Church of England more trouble than any Act passed for many years before. And I doubt greatly whether this Bill will do very much for the Church. A fair argument against this Bill is that it is drawn in a most extraordinary and incomplete way. In evidence of its incompleteness, I may remind the House that, some few months ago, a Carmarthenshire minister—a vicar, I believe—was fined for grossly ill-treating—kicking, I think—a little servant girl in his employ. Such an offence is not touched by this measure; it is only when a clergyman is sentenced to hard labour or any greater punishment, or is guilty of an offence of an indecent nature, that he will be deprived of his living. I have often thought it regrettable that the clergy could not be represented on the Treasury Bench, because many questions arise in Parliament regarding clerical scandals—the use of certain catechisms, for instance, the uneven sentences passed by clerical magistrates, or the refusal of clergymen to lend their schools for political meetings. All these matters ought to be brought within the scope of the measure. Let us make the Bill complete by inserting provisions for a Clerical Department. The Minister for Agriculture would make a suitable head, and he seems to have plenty of time at his disposal. It appears to me that this is an attempt on the part of the Government to establish order in the Church. I approve of order, but I have always thought that the State Church was never in such good order as in the time of Queen Elizabeth, its founder. Why,

I should like to know, is not this Bill made applicable to all ministers of the Church, whether their rank be high or low? It defines a clergyman as one "not being the Bishop of a diocese." To me it seems ridiculous that you should exclude from the scope of this Bill the highest dignitaries of the Church. Slander, too, I consider worthy of inclusion, as well as want of charity, and the boycotting of Political Parties. If, in addition, the measure is not limited in its application to clergymen as now defined, then you will have some *prima facie* case for the Bill. In closing, I still venture to press upon the Government the wisdom of dropping the Bill and devoting their attention to the measures mentioned by the hon. Member for Carnarvon (Mr. Lloyd-George), to the redress of the more urgent public grievances, and so paving the way for the legislation which will be required to carry into effect the recommendations of the Labour Commission.

(8.20.) MR. LLOYD MORGAN (Carmarthen, W.): I regret to find myself compelled to vote in a different Lobby to the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone). His speech marks the distinction which exists between him and many of us. The right hon. Gentleman himself objects to an Established religion, not as an Establishment, but owing to the circumstances which surround it; while we think that an Establishment is bad, not only under the conditions in Wales, but that under no circumstances can it be justified. We do not wish to perpetuate the state of things which this Bill aims at. In common with the right hon. Member for Midlothian, we desire to eliminate these evils, but we believe that a much broader view of the question should be taken. I am sorry to find that the condition of affairs in the Church is such as to draw from the Government a Bill of this kind, and I regret also that that Church should, in this century, be in such a state of bondage as to be unable to remedy for itself those defects which are so apparent to everybody. This question is a wide one, and it opens very serious issues; for if the House passes this Bill to-

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night, the whole question of Church reform will be opened. One is rather alarmed at the prospect of such a long and tedious journey, alarmed that questions of this nature are to take precedence over those great social questions which the people of this country are demanding. Then I understand that the various sections in the Church are not agreed as to Church reform; and thus it strikes me that if the House of Commons is going to commence that work, it is beginning what will prove a hopeless and impossible task. I agree with the objection taken that this House is not the proper Body to deal with this question. Some of its Members hold religious opinions, but there may be others who are not only out of sympathy with the doctrines taught by the Church, but believe that its faith is nothing more than a vain superstition. A House so constituted is not fitted to regulate the affairs of a religious institution. This is an objection which would occur to a believer in the Christian religion; but there are others not in harmony with religion who are quite entitled to be heard in this House. Their attitude is that the time of this House should not be taken up in dealing with questions which should be dealt with by the Church itself, and which would so be dealt with if the Church were disestablished. And they say, very rightly, that it is unfair that the time of this House should be taken up with the affairs of a religious establishment, when there are so many great social questions pressing for reform. And though, perhaps, these questions do not trench so closely on morality as the progress of an institution in which religion is taught, yet there are measures introduced into this House, and opposed by hon. Members opposite Session after Session—particularly temperance questions—which have a great claim on all who are anxious to support measures for the amelioration of this country, and who desire to promote the cause of morality. I do not know that I should trouble the House much further; but I am bound to say one word in reference to the suggestion made by the right hon. Gentleman the First Lord of the Treasury, that the

great masses of the people are in favour of this Bill. As far as I have been able to gather from some extracts I have seen, I do not think the clergy themselves regard this measure with any very great satisfaction, and I entirely dissent from the statement that the masses of this country are in its favour. I dare say there may be a large section of the community who are; but I think if the great masses of the people were consulted they would say that, although anxious to promote morality, they do not believe this is a question that should take precedence of other questions which have for a long time been before the House. Whenever a great question is before the House—and the right hon. Gentleman indicated that he wished this to be regarded as one—a Member generally has some intimation from his constituents of their opinion in regard to the measure, or in reading the daily newspapers one reads of meetings being held in favour of it, or of some Petition being sent to the House of Commons. But in regard to this Bill I have never heard a single word outside the House, and I attribute it to the fact that people believe this is not the right place nor the right time to deal with the question. Now, Sir, the right hon. Gentleman, in introducing this Bill to the House, seemed to suggest that the hon. Member for Carnarvon had some desire to advance the interests of other religious bodies in opposing this Bill. That is an opinion which the right hon. Gentleman has indicated before to-night as to the aim and motives of Nonconformists whenever they bring forward questions in this House. I remember him, when the Debate on the Disestablishment of the Church in Wales was brought forward, saying that he believed the Nonconformists of Wales, and of England as well, would rather see the money now employed by the Church of England thrown into the sea than that the Church should have the use of it. That shows how impossible it is for the right hon. Gentleman, who is entirely out of sympathy with Nonconformists, to understand the motives and desires which animate their action in this House. It is nothing short of slander to say that it is our desire in opposing

this Bill to advance the interests of some other religious bodies. Our objections have been stated to this Bill, and though, perhaps, little good may be done by our discussion in this House to-night, yet I think it will be clear to those outside the House that we are not animated by motives so base as the right hon. Gentleman has suggested. I will, in conclusion, say that I cannot consent, as far as I am concerned, to allow this House to spend its time in re-constructing a religious establishment, and I believe that the good of the Church must be developed within its own walls, and not by a secular body.

* (9.15.) MR. THOMAS ELLIS (Merionethshire): Both the Member for Midlothian and the First Lord of the Treasury have suggested that we are opposing this Bill because it will retard Disestablishment.

Notice taken, that forty Members were not present; House counted, and forty Members being found present,

*MR. THOMAS ELLIS resumed. Whatever may be my objections to this Bill, that is not one of them, for I believe that the passing of this Bill will enormously hasten and quicken the movement for Disestablishment, and it is a remarkable fact that since this Bill has been brought forward several clergymen of eminence have declared their intention, with a view of securing their freedom, of joining hands with those who approach the question of Disestablishment from a very different standpoint. The Member for Midlothian has come, as he does fairly often, to the rescue of Her Majesty's Government. Whenever the Government have to bring forward some inconclusive Resolution or Bill which they find some difficulty in commending to the House, the right hon. Gentleman comes down and makes a great speech in their favour, and very often takes them out of their difficulty. The speech of to-night was a great debating speech, but it did not make out any real case for this Bill. The First Lord of the Treasury did not bring one single argument or mention one single instance to show that this Bill was much needed. It is true he referred

casually to a case to which the Archbishop of Canterbury in another place has referred to once or twice. The Member for Mid Glamorganshire (Mr. Samuel Evans) challenged the Government through the Home Secretary to give a Return for the purpose of the discussion on this Bill. That Return could easily have been prepared, and it would have made out the case for this Bill if a case could be made out. My hon. Friend asked for a Return of the number of clerks who by their conduct have brought themselves within the purview of this Bill. But the Home Secretary refused to grant that Return, and thus completely gave away the case of the Government for urgency. The fact is, there is no demand for this Bill; or, if there is a demand, it is very limited. There is certainly no demand for it from the mass of the electors. The Member for Midlothian had to admit that there are many pressing social questions for the solution of which great masses of the people are anxious, but he dare not stand up in his place and say there is any appreciable demand for this Bill. Is there any demand for it on the part of the clergy? The clergy as a body have not moved for legislation on these lines. It is true that they would like to see the powers of Convocation considerably enlarged, and they desire that the Church should have certain powers of dealing with spiritual discipline; but I venture to think that they have not agitated for such a Bill as this. I admit that the opinion of the Archbishops and Bishops in matters connected with the Church of England is of very great value, but what is suspicious about the action of the Bishops is that they have excluded themselves from the purview of this Bill. Members on both sides of this House, and gentlemen of all religious opinions, are asked at the bidding of the Bishops to examine a state of things in which clergymen are supposed to commit certain crimes; but if the Bishops desire to interrupt the Business of this House by proposals of this kind, they ought to include themselves. It has been proved conclusively by the Member for Carnarvon (Mr. Lloyd-George) that there is already power in the Church to deal

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with these matters. It is true the process is expensive; but it is too much that the Business of this House should be interrupted, and pressing and urgent legislation delayed, merely in order that this work may be cheapened. It is quite right that all systems of law should be cheap; but I should like the House to remember that large sums of money are paid to the Bishops to meet the heavy charges which arise in the execution of their duties, and this work of getting rid of criminous clerks is incidental to the execution of their duty. I think the proposal would have come with far better grace from the clergy than from the Bishops, who have excluded themselves, and bring the Bill forward with a view of saving themselves expense. I venture to protest against this method of putting a pistol at the head of the House at the instance of the Bishops. We have an objection to the presence of the Bishops in the other House; but so long as they do not waste our time, we may be prepared to quietly acquiesce in their presence; but when the Archbishop comes down and, as an ordinary Member of the Government—the Minister of Agriculture for instance—introduces a measure which was named in the Queen's Speech, it at once demonstrates the anomalous, illogical, and indefensible position which the Church of England occupies in this country. But even if there were a demand for this Bill on the part of the parishioners of the country, on the part of the laity, or of the clergy who will be affected, I should still vote against it as a protest against the system by which we are called upon to deal with questions of spiritual discipline, which should not come before this House, but ought to be dealt with by the religious communities outside the House. Every other religious community has already decided this question for itself, and I protest against this Bill because it is paltry and delusive. The Member for Midlothian has constantly demanded with respect to measures brought before this House, and especially in the case of measures connected with Ireland, that there should be an element of finality, so that the House should no longer be troubled by similar and

analogous questions. This Bill has no element of finality ; it only touches the fringe of Church reform ; and if we begin tinkering with this great question, there is a prospect of our time being wasted month after month and Session after Session in the consideration of Bills with which we are not properly qualified to deal, and this to the exclusion of other matters of great social, industrial, and political importance, for the settlement of which we are the one Body that is most capable. I protest also on another ground, which the Member for Midlothian tried to clear away. The First Lord of the Treasury was charged, and as I think very rightly charged, by the Member for Carnarvon with his one-sided and unfair way of dealing with Bills brought before this House regarding the property and powers of various religious denominations. The way in which the right hon. Gentleman has dealt with two or three Bills affecting the freedom and property of Nonconformists is in flagrant contradiction to the manner in which he has dealt with this question. There is, I say, no demand on the part of the mass of the community for this Bill. The First Lord of the Treasury stops the Business of the House and delays carrying out the Government programme at the bidding of the Bishops. What does he do with regard to measures affecting Nonconformists ? Two such Bills have been introduced this Session ; one he opposed, and brought about a well-merited defeat of the Government thereby, the Second Reading being carried, yet he declined to refer it to a Select Committee ; and the other he allowed to be read a second time to prevent a similar defeat, and then referred to a Select Committee, which practically shelves it for the rest of the Session. Both these Bills would do away with a number of grievances affecting a large portion of the population, and yet the right hon. Gentleman makes this unfair and unjust distinction between one religious community and another. I cannot help thinking that when the speech of the right hon. Member for Midlothian is read in the morning, there will be keen and bitter regret

and disappointment amongst thousands of Nonconformists, that the right hon. Gentleman should play the game of the Party which refuses from Session to Session to remedy the admitted grievances of the Nonconformist Bodies of this country while he eagerly and anxiously opposes such a proposal as this. The right hon. Gentleman said that we must consider the desires of the local communities, of the parishes ; then why does he not ask this great Establishment to consider them, for at present the people have no voice in the selection of the clergymen, and if they make any protest no real or effective power is given them, and if the clergyman prove unsatisfactory in any way they have no power to secure his expulsion ? The idea of respecting the local communities is, therefore, most unreal and shadowy. The clauses of the Bill have been so exposed by the hon. Member for Carnarvon that there is no need to repeat the criticisms on them, but the right hon. Member for Midlothian admitted that there are several sections and sub-sections which are hopelessly incomplete, some of which are ridiculous in the delays they set up, and the procedure they stereotype. The right hon. Gentleman said that these were matters for discussion in Committee, but the First Lord of the Treasury makes that to all intents impossible by referring the Bill practically to a Select Committee, where there can be no real discussion on the sections. My hon. Friend has shown that the Bill is calculated to make the present condition of things even worse than it is supposed or alleged to be at present. There are words in the Bill which condemn the whole legislation of this House in matters of spiritual discipline. It proposes to give power to a couple of local magistrates, who may be Nonconformists or stipendiaries, to deal with questions of spiritual discipline without further trial, and that is a degrading humiliation to the Church of England, and I am not surprised that clergymen should write to Nonconformist Members saying that they feel it a humiliation that Parliament should pass legislation which will make the Bishops criers of the Court, or under the 3rd clause, which gives them more

power, a Grand Jury. I think the passage of such a Bill far from bringing about a final settlement of the question, or making it easier for the Church to do her spiritual work in her own way, and with freedom, will open up questions of wide and deep interest and of a controversial character, and questions which will be brought before this House piecemeal, and will take up much time, and which will never be settled and set at rest except by that measure which will set the Church really free from the control of the State, and give her that power and freedom in spiritual discipline, and in religious work which is now the most priceless heritage of nearly every other religious community in this country. And though charges may be brought against my hon. Friend, and those who protest against this method of legislation, and the interference with other important legislation, I am glad he has exposed the method of the introduction of this Bill, and the ludicrous character of some of its provisions, and has given us an opportunity of entering our protest against a useless and gratuitous waste of the time of Parliament.

(9.40.) MR. BIRRELL (Fife, W.): I cannot think that my hon. Friends are serious in pursuing their opposition to this Bill, and if they are I condole with them on the feebleness of their efforts, and I am glad that my abhorrence of the Establishment is not built upon the miserable materials and beggarly elements of a score or so of drunken and immoral clergymen. I am not ashamed to say that I listened to the words of the Leader of our Party with something amounting to absolute conviction. My hon. Friend the Member for the Carnarvon Boroughs has put on the Paper an Amendment to the effect that he deplores the conditions, but he is hypocritical in deploring them, for he does what he can to stereotype them, and considers that it is no part of the functions of the State to attend to matters of spiritual doctrine. If he had said "ought not to be part of the functions of the State" he should have had my vote. But when he asks me in 1892, without even a Bill for Disestablishment

being on the Table of the House, to say that it is no part of the functions of the State to deal with such matters, I cannot accompany him. So long as the unhappy connection between the Church and State exists, it appears to be an act of cowardice for the House to refuse to do its duty and purge the Church under its control from scandals of this kind. Therefore, having regard to the actual facts, and not living in the clouds, I find it impossible to support the Amendment. The control of the discipline of the Church of England has always been subject matter for treatment in this House. From the earliest times the House has claimed the right of sole control over matters of discipline in the Church, and will rightly claim it so long as the connection continues, and I hope it will assert the right. It is amusing to hear Welsh Nonconformists becoming the mouth-pieces of the "high flyers" of the Church; to hear them trying to excite the House to fury at the insults put upon the Bishops. I should have preferred to hear those statements proceeding from some Member for the University of Oxford, or of some place long associated with orthodoxy and port-wine, and with high views of the rights of the Church as opposed to the State. It is humorous to hear Nonconformists uttering sentiments one would expect to find in the *Church Times*. The Bishops have been the butt of their peculiar humour for some time, and I hope they will continue to be, so long as they are public officials and not members of a free Episcopal Church. I think my hon. Friends might have been somewhat better employed than they have been to-night, although they have added humour to the debate. We are told there is no call for this Bill, but I should think it would be difficult to get people to meet in their thousands to consider measures of this kind. If I were to advertise that I was going to speak on the Criminal Code, which affects the honour and dignity of the country more than this Bill does, I expect it would be difficult to fill a large hall. We are told that it is the Bishops who agitate in this matter; that it is because they are the persons in whose purview these cases arise, and who

Mr. Thomas Ellis

have to deal with the criminous clerks. If we were dealing with dishonest solicitors, reform would be advocated by the Incorporated Law Society, and not by mob meetings; and yet a dishonest solicitor does more injury than many anomalies in the Constitution which attract a great deal more public attention. Then we are told there are not many criminous clerks. I cannot help thinking that a cheap procedure or ready way of getting rid of criminous clerks for the irregularity of their lives, would lead to the discovery of many cases requiring immediate attention. Unfortunately, these persons at present escape because the Bishops cannot put the existing machinery in operation against them. Speaking as one anxious for the disestablishment of the Church, I can only hope that the speeches of hon. Members for Wales will be reported verbatim, so that the pious clergy and devoted laity of the Church of England may really become alive to what a state of degradation they are reduced, when, in order to be put in possession of simple, expeditious, and cheap machinery to purge the Church of the scandals occasioned by immoral and unfit persons, they have to come to this House and hear a travesty of their position from the lips of persons who do not belong to their community. I do not belong to it, and have no desire whatever to do so, but I can well believe that this discussion, however much it may have delayed a measure in itself admirable and worthy of all support, will not be thrown away if it induces the clergy and laity of the Church of England to ask themselves, "How long is this state of things to continue?" My hon. Friend agrees with me now; then, after all, it is Disestablishment he is looking forward to. But if I am asked to refuse to give to the Church of England that which the guardians of its order require—namely, a cheap and expeditious method of purging the Church of scandal and abuse, simply because it is considered a good thing to keep the Church in a scandalous condition in order that arguments for Disestablishment may be produced, I will say with Troilus in the play—

"I cannot fight upon that argument,
It is too mean a subject for my sword."

(9.50.) MR. WADDY (Lincolnshire, Brigg): I think it right that I should state the view which I, as a Nonconformist, take upon this matter. I have no desire for the degradation of the Church of England, for I firmly believe that the purer you make the Church the purer will all Nonconformist sects be, and that the action and reaction of the one on the other is most important and beneficial. Any measure for increasing the purity of one part of Christ's Church is a blessing to all. I believe that, although this is a very silly Bill, a very imperfect Bill, and about as clumsy a Bill in its drafting and in its conception as any ever brought before the House of Commons, I believe its effect, if it has any, will be in the right direction, and I shall feel it my duty to support it. It will serve to some extent, perhaps, to put off the evil day so much dreaded by our hon. Friends opposite, and may for a time divert public attention from the question of Disestablishment. I cannot forget what I have seen and heard of cases in which this Bill would have been of some use. This matter should be approached seriously and properly, for it involves religion—it involves earnest and converted lives, and earnest and real faith, and we must deal with it from that point of view. I believe there is a great want in the Church of England of some such supervision as at this moment they have not got; and the fact that this Bill is at all necessary will, I hope, bring home to the minds of earnest and thinking men of different opinions to my own the conviction that the connection of the Church and State is bad and vicious in principle as in fact. What does it mean? I have known a case in which I appeared on behalf of a clergyman charged with revolting intoxication, public disorder in the open street, misconduct of the grossest and most disgraceful kind, and he, nevertheless, had the courage to say to me, "Well, you know, what is there in all this? I am sober now. I shall be sober next Sunday; I am quite fit to do duty," and without some such measure as this you are

utterly unable to touch him, without adopting the ridiculously round about system now in existence. The fact that you have a provision which renders conviction by two magistrates sufficient for your purpose, without the details and dangers of an ecclesiastical prosecution, is of very great importance. The idea that a man, because he has been well-educated to begin with, has taken a degree at Oxford, Cambridge, or elsewhere, has then chosen to adopt Holy Orders as a profession or trade, has succeeded in getting nominated to the cure of souls, is then to be permitted to preach the Gospel in the Church of England or elsewhere, and commit the sacrilege of communicating the sacrament in the Church, without any means of touching him, is to my mind as revolting as anything can be. I shall be glad if any means can be found to deal with that. The Bill will require an enormous amount of alteration in its clauses before it is good for much, but accepting the design, which I believe to be serious, I cannot quite understand what it means. The second clause says—

“If a clergyman is alleged to have been guilty of any immoral act, immoral misconduct, or immoral habit,”

and the same words are repeated elsewhere. What is meant by immorality in the purview of this Act? Is it immoral for a man to be drunk? Opinions differ on that point. Is it an immoral thing for a man to be guilty of lewd conversation, though not of lewd acts? Opinions differ again upon that point. Is it an immoral thing for a clergyman to be the greatest gambler and the most reckless gambler in his parish? Opinions differ again, singularly enough, even upon that point. I venture to think that, as a matter of fact, such men as that would not be hit by this Bill. I see my hon. and learned Friend the Attorney General for England is there; I hope we are going to hear him. I am perfectly sincere when I say that I am very anxious indeed to hear what his explanation, what his exposition of the law is with regard to this matter. What is the difference between an “immoral act,” “immoral misconduct,” and an “immoral habit?”

Mr. Waddy

Then, I should like very much to know is it immoral in this sense for a clergyman to be a tale-bearer, a scandal-monger, and to be making mischief in his parish?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): No.

MR. WADDY: Probably not; although nothing more immoral can be conceived. Is it immoral for a man to be guilty of vagrancy from veracity? Surely we know that it is the most perfectly simple thing in the world to find flagrant instances of this kind, not in one Church, but in many—but we are obliged only to deal with this particular Church which it is proposed by this Bill to affect. I have seen myself—I do not want to prolong the matter—so many illustrations of the mischief arising from the inability of the authorities of the Church of England to cope with the evil which they desire to crush, that I, for one, should be prepared to assist them in obtaining anything almost that they themselves might reasonably ask. But this Bill will do them little or no good. It may be the beginning of something which will do them good. You have quite unfortunately a State Church. I would a great deal rather hand over the whole management and entire government of the Church of England to the authorities of the Church of England; I have perfect confidence in them. I do not belong to that Church myself, and I echo the observation of my hon. Friend who spoke last—I do not mean to, and do not want to—but I am quite prepared to say that I have perfect confidence, as I hope we all have, in the good intentions of those who are the chief authorities of that Church. There are a good many things which clergymen ought not to be allowed to do, and which anybody who has command or control over them ought to have knowledge of, and with regard to which they ought to be allowed to deal with their clergymen, and that are not matters to go before police magistrates. I hope my hon. and learned Friend the Attorney General will endeavour to strengthen this Bill a great deal instead of weakening it; the stronger he can make it the better. Disestablishment will come very soon, and come over—

whelmingly; but in the meantime, till it does come, let us make the Church as strong, and as pure, and as reliable as she can be made.

MR. SAMUEL EVANS: I think that of all the speeches which it has been my privilege to hear in favour of this Bill the speech which I have just listened to is the most peculiar. The hon. Member first described the Bill in language which I would hardly dare to use, "as bad as can be," "clumsy," and "silly;" and yet he concludes by saying that he intends to vote for its Second Reading. Stranger than that is the fact that in the last observation which he addressed to the House he showed very clearly that he agrees entirely with the Amendment of my hon. Friend; and yet, although he agrees with the Amendment, and although the Bill is "as bad as can be," and "can have no effect," and is "clumsy," and is "silly," the Government are going to have on this occasion the benefit of the vote of my hon. Friend. The support which they have had to-night is almost entirely from this side of the House. First of all, they were supported by the right hon. Gentleman the Leader of the Opposition in a speech which everyone must characterise as excellent from a debating point of view. They have been supported by my hon. and learned Friend the Member for West Fife, who supports the Second Reading of the Bill on the ground that he is in favour of Disestablishment; and yet he taunts us with opposing the Bill because we want Disestablishment. The right hon. Gentleman who moved the Second Reading said the Bill was required by the urgency of the case. He described it as simply a Procedure Bill; but I think that subsequent speeches have shown very clearly that it is not a Procedure Bill; and that it changes entirely the principle upon which members of the Church of England are to deal with the discipline of the criminous clerks. Let us see whether there is any urgency for the Bill, or demand at all. The right hon. Gentleman has not only failed to give any cases in point, but the Home Secretary has been asked to say whether there is any demand or necessity for a

Bill of this description. But I am able to quote to the House the authority of the right rev. Prelate the Bishop of Chester, who only yesterday used these words in Convocation—

"With a somewhat sinister sympathy it has been supposed that the Church of England is under some peculiar stress which necessitates her passing or getting this Bill passed at the present time. I believe I am right in saying that there is no such stress, and no particular scandals before the Church at the present time; but we are anxious, and have always been anxious, to repair scandals when they do arise."

Therefore the statements we hear about the mysterious scandals in the Church which it is in the interest of morality and good government to get rid of are in direct contradiction to what the Bishop of Chester said yesterday in the Convocation of York. After that I think it is perfectly clear that there is no urgency at all for dealing with this matter. Some speeches have been made which would lead anyone who listened to them to think that the Church of England did not possess any power already to deal with criminous clerks; but everybody who knows anything at all about Ecclesiastical Law knows the Church of England has already powers for dealing with them. Therefore, it is perfectly idle for the First Lord of the Treasury and those who support him to taunt us by saying that they are the friends of morality, and that those who oppose this Bill have shown that they are on the side of immorality and crime. The Church of England has powers already, and has possessed these powers—I was going to say for ages—for getting rid of these criminous clerks. A right hon. and learned Friend near me says these powers are not sufficient; but it has not been shown that they are not sufficient, and it has been shown conclusively in debate that the sole object of bringing this measure forward is to relieve the pockets of the Bishops. It has been said that the procedure under the Bill would be very much simpler and cheaper than the present procedure; but I am able to quote a very great authority upon that point, the late Archbishop Thomson, who stated in the House of Lords that instead of being cheapened it would be more costly. The right

hon. Gentleman the Member for Midlothian, whom we delight to follow on most occasions, but whom, on ecclesiastical matters, we do not blindly follow, as did the hon. and learned Member for West Fife, came down here to support the Government, as he very often does upon ecclesiastical questions; and, without meaning any disrespect at all, I think whatever force there is in the arguments advanced in favour of the Bill is contained in the right hon. Gentleman's speech. The right hon. Gentleman has said—"You have no right to complain, because the people who ask for this Bill are the people to be injured if anybody is to be injured at all," and he used the phrase *volenti non fit injuria*. But the Bill comes from the Bishops, and not from the clergy who are to be affected by it; and, whatever the conduct of Bishops or Archbishops may be, they cannot be touched under this Bill at all. I should again give the same authority for the proposition laid down that the Bill is disliked by the clergy and not asked for by them. Archbishop Thomson, in the same speech to which I have referred, in 1888, said that to the clergy in his diocese the measure was far from acceptable, the reason being that it provided novel Courts; that there would be a difficulty in working these novel Courts, for which new Judges would have to be appointed, and for whom the country would have to pay; that every diocese would have one of these Courts; that there would be from 180 to two hundred of these new Judges; that the procedure would be more expensive than before, and that there would be great difficulty in getting all the Judges to work harmoniously together. What, then, becomes of the statement that the Bill is demanded by the clergy? There is no demand for this Bill on the part of the clergy. Those who require it are only the Archbishops and Bishops, who are not only Ecclesiastical Authorities, but State Authorities. I will read what the *Church Times* said upon the subject last month. It said—

"The Clergy Discipline Bill is not backed by any single Member of the Government. The Archbishop of Canterbury is alone responsible for it, notwithstanding that Mr. Mr. Samuel Evans

Balfour has declared it to be a Government measure. If his Grace should unfortunately succeed in his short-sighted policy, sober-minded Churchmen will be compelled seriously to ask themselves whether it is not necessary to proceed to some definite means of vindicating the spiritual character of the Church of Christ, and marking the clear distinction between the civil and spiritual authority. We believe, however, that this Erastian Bill has not the slightest chance of becoming law."

I want to know why this Bill is to be forced upon the clergy? If the right hon. Gentleman had been here, I should like to have reminded him of what he said in this House on 9th July, 1874. He then said—

"I do not like to pass a Bill which by silence and implication gives protection to an illegality, provided the illegality be committed by a Bishop. . . . I have a reasonable respect for Bishops. . . . But if instead of Bishops they were saints or angels, I would not be a party to pass an Act of Parliament to enable them to break the law without the consequences which follow a breach of the law."

On 17th July of the same year the right hon. Gentleman also said in this House—

"The right hon. and learned Recorder (who was in charge of the Bill) ought to take the initiative in proposing that the Bill should be made applicable to illegal conduct on the part of the Bishop, as well as to offences committed by incumbents. . . . It seemed to him highly inexpedient, especially in the case of a Bill framed under episcopal sanction, and which had for its object to establish loyalty in too bare and naked a form, that an immunity so unnecessary and so useless should be established on behalf of the Bishops themselves."

I think the Government should tell us whether they mean to include in Committee the Bishops within the operation of this Bill. The Bishops themselves are assuming a very curious position in reference to this question. At the Diocesan Conference on 26th April, 1892, the Bishop of London said—

"The effect of the law of the State is this: that if this Clergy Discipline Bill passes into law the State will say, 'He is an officer of the State as well as of the Church, and we shall impose on him the duty of declaring the benefice vacant.' The Church will say in reply, 'He is one of my officers, and he holds a position under my jurisdiction, and we shall impose on him the duty of declaring the benefice vacant, so far as we are concerned.' Thus we should act concurrently, and what the Bishop said as an

officer of the State would have its own effect on one side and likewise on the other as a Bishop of the Church, and there would be no collision between the two, and no possibility of disputing that the State deprived him of that which belonged to the Church, and of that which belonged strictly to the jurisdiction of the Church. That was the aim we had in view in preparing this Canon, and it requires some care and trouble to make such a Canon as this, for it, at the same time, raises all sorts of controversies."

I would ask the Government what would happen if a Bishop, after a conviction by a temporal Court, were to refuse to declare the living vacant? I suppose he would be guilty of misdemeanour, but I would not pledge my reputation as a lawyer upon that point. Archbishop Magee's argument, as stated by Lord Grimthorpe in the House of Lords, was as follows:—

"I resent the idea of being ordered to come into Court as the executioner or crier of a Court, to proclaim a judgment which I may differ from. I shall have read the proceedings in whatever Court has ordered the man to be deprived. The Chancellor, who may have proceeded under the rules of procedure which are to be made, or the Civil Court may have decreed the deprivation; but I may think that the man ought not to be deprived. Am I to come in thinking all that, and as a mere machine—a mere crier of the Court—to declare him deprived when I think he ought not to be?"

There is a most astounding provision in the 5th section of the Bill. It is that part which confers upon a Bishop the power to re-appoint an incumbent who has been guilty of these contemptible crimes to a preferment. But how are you to get rid of immorality in the Church of England—if it does exist—if you give the Bishop the power to say what is to follow a conviction in a temporal Court—if you give the Bishop power to override the whole principle of this Act? Sub-head B, Section 2 of Section 5, enacts that—

"Where by virtue of anything in, or done under this Act, a clergyman becomes incapable of holding preferment, his incapacity (a) shall cease if he receives a free pardon from the Crown; and (b) shall not extend to any preferment which the Bishop of the diocese and Archbishop of the province in which it is situate after such public notice, if any, as they think desirable, allow him to hold."

If this House is going to exercise the power, which it undoubtedly has by Act of Parliament, to deprive certain persons

of their living, is it reasonable in the same Act to give authority to the Bishop to replace in that preferment, or in any other, a man who may have been guilty of these charges? In that respect the Bill is as unreasonable as it can be. The question of delay has been fully dealt with by the hon. Member for Carnarvon (Mr. Lloyd-George). It is proposed in the Bill that there shall be power to institute these proceedings within five years of the date of the offence, so that a clergyman may, presumably, go on living an immoral life, or observing a course of conduct far from good, for a term of five years without any proceedings at all. Thus under this Bill there will be no speedier remedy for these matters than at present exists. Then the country has to decide the serious question whether it will go in for the expense of instituting these Courts. The right hon. Member for Midlothian (Mr. W. E. Gladstone) said it was not reasonable to expect the Bishops receiving the small salary of £3,000 to pay these heavy law expenses, but the Bishops take their fees and emoluments for the express purpose, among others, of carrying on these legal proceedings. At any rate, it cannot be doubted that a Bishop, accepting that salary, knows that he may be called upon to pay these legal expenses. What I think the country has a right to complain of is, that you are not going to use the funds of the Church of England at all, but that you are going to institute these Courts of Legal Assessors all over the country, instead of Chancellors of the Consistory Courts, and that the country is to have the privilege of paying for them instead of the Bishops as hitherto. I protest against this additional burden being placed on a country already too heavily burdened in support of ecclesiastical establishments. I see no reason why this Bill should be confined to cases where an incumbent has been sentenced to imprisonment with hard labour. Members who have not studied its provisions will be surprised to learn that a clergyman committed by a temporal Court and sentenced to imprisonment without hard labour, or, instead, very heavily fined, does not come within the purview

of this Bill. It is an extraordinary proposal that the benefice of an incumbent, who has suffered hard labour is to be confiscated, while another incumbent, who has suffered any term of imprisonment without hard labour, is not to be displaced until proceedings are taken against him under a different part of the Bill. From this it appears to me that the Bill, so far as concerns offences, requires much amendment. The next clause of the Bill (6) is one that also should receive the serious attention of Parliament. Previously, difficulties have arisen, Session after Session, in dealing with the matter of clergy discipline. Last year's Bill consisted of some thirty-two or thirty-three clauses, but, towards the close of the Session, it was proposed to drop the last twenty-eight, and proceed only with the first four. That intention, however, was not persevered in, or, at any rate, was not successful. Now the promoters of the Bill, knowing that the procedure, as sketched out in last year's Bill, would be opposed by their supporters in this House, actually give the whole of the authority of Parliament, with the establishment, procedure, and government of these Courts, to a Rule Committee. I think I may say that never before, in any single Act of Parliament, were such powers delegated to a Rule Committee. And I would like to call the attention of the House to the fact that the Rule Committee is to be allowed to enact what I think consisted of fifteen clauses in the Bill of last year. Yet this year, for the sake of facilitating the passage of the Bill, the promoters have inserted this clause, deputing all the power to the Committee. Section 6 says:—

"The Rule Committee, that is to say the Lord Chancellor, the Lord Chief Justice of England, the Judge of the Provincial Court, and the Archbishops and Bishops who are members of the Privy Council, or any three of the said persons, two of them being the Lord Chancellor and one other of the aforesaid judicial persons, may make rules for carrying this Act into effect, and in particular for regulating all matters relating to procedure, practice, costs, expenses, and fees under this Act, including the appeals (so far as rules made by the Privy Council or the Judicial Committee do not extend) the appointment, as Deputy Chancellor, of a barrister of not less than seven years' standing or the holder of a

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judicial appointment, the obtaining and choosing of assessors, the place of sitting of the Court, the passing of sentences, the validity of proceedings notwithstanding defects of form or irregularity, the application of this Act to a clergyman who cannot be found, or holds no preferment, or several preferments, the liability to, and recovery of, costs and expenses, the forms to be used and all matters incidental to, or connected with, the administration of justice under this Act."

These are powers which Parliament ought never to delegate to any authority, and particularly to such an authority as is proposed in the Bill. Clergymen themselves think so. Now this Bill, as I have shown, is entirely incomplete, inadequate, and is bad in its character. It gives rise to demands for privileges of various kinds on behalf of the clergy. It would be idle for any class of persons in these days to come to this House and ask for special rights of appeal in cases where proofs might be taken against them, and yet this is one of the objects of this Bill. In the other House there was actually a proposal made—I do not know whether it was carried out or not—by the Bishop of Manchester that there should be for the clergy, and the clergy alone, an appeal from the Quarter Sessions in cases of affiliation orders, appeals which do not exist for any other persons at the present time. Well, if the Bill is disliked by the clergy, and is bad in its character, as I hope I have shown it to be, I think Parliament should not pass it through the Second Reading. In these days it is difficult to get Parliament to give attention to those matters in favour of which large bodies of the community have made up their minds. Several measures have been alluded to by my hon. Friend which should be dealt with by this Parliament. One, however, has been overlooked, and I will refer to it as an illustration, because it is a measure which has been promised in the Queen's Speech over and over again. When the Clergy Discipline Bill was in the humble position of being a private Member's Bill we were promised an Employers' Liability Bill. That Bill, we are told, the Home Secretary is dying to pass for the benefit of the working classes. The right hon.

Gentleman the Member for Midlothian (Mr. W. E. Gladstone) has said that Parliament is responsible unless it removes the grievances which exist in any particular quarter. It follows, then, that Parliament is responsible for the position in which workmen are placed—a position which oftentimes results in fatal or serious accidents; and I think it is nothing less than a scandal—and I use the word advisedly—that we are not allowed to discuss a measure of that kind, but are invited to waste the time of Parliament on ecclesiastical questions. We do not desire to see immorality continued in the Church of England. We are glad to hear it said over and over again that the cases are very few, and we believe them to be so. But we say those cases, if they exist, should be dealt with under the present powers; that although Parliament has technically a right while the connection exists between Church and State, yet it should not be called upon to deal with a question of this kind, and I hope we shall have strong support from hon. Members when we vote against the Second Reading, and oppose it in its subsequent stages if occasion requires.

(10.50.) MR. MAC INNES (Northumberland, Hexham): Mr. Speaker, I think it would be a strong thing to say that the clergy as a whole are opposed to this Bill. We know perfectly well that the High Church party are not satisfied with it, and we all understand their reasons for this dissatisfaction. Still, the opinions of the various Diocesan Conferences throughout the country have been, as a rule, entirely in favour of it. It is, of course, difficult to say what may be the attitude taken by the laity generally, but we may ask what is the view of those two elected and fairly representative bodies—the two Houses of Laymen. I believe I am right in saying that the House of Laymen of the Convocation of Canterbury were unanimous in this matter. And in the Northern Province one of the first things brought before the House of Laymen was the consideration of matters in connection with this Bill,

and in a full assemblage of gentlemen representing very different sections of the Church of England there was a unanimous expression of approval. When, therefore, we find such bodies as the Houses of Laymen in both Provinces expressing distinct approval of the Bill, it seems to me that it is rather an exaggeration to say it is being forced on the Church of England and meets with dislike in that quarter.

MR. A. J. BALFOUR: I think the House should now come to a decision upon the Second Reading of the Bill. As I think that everyone will feel that the question of the Second Reading and the question of referring the Bill to the Grand Committee should be disposed of before twelve, I earnestly press the House to decide upon the Second Reading at once.

(10.55.) MR. PICTON (Leicester): I think the right hon. Gentleman should make some allowance for the strong conviction of a considerable number of Members on this side of the House that this measure is exceedingly ill-devised and of ill-omen for the spiritual and moral welfare of this country. Our convictions are quite as strong as his own, and as he is a man of conscientious convictions, he may be expected to have sympathy with others although they differ from him. I cannot help remarking that the right hon. Gentleman, in moving the Second Reading of this Bill, was rather uncharitable towards those who might oppose the measure. In very strong language, and with a kind of elegant invective of which he is master, he condemned as worthy of scorn and contumely all those who should oppose it. He could not conceive how anyone could oppose it except in the interest of the Liberation Society. I do not think the right hon. Gentleman showed much charity. I can assure him that the members of that Society—although some of us are members of it—are incapable of any such uncharitable modes of considering ecclesiastical questions. The object of the Liberation Society is the freedom of religion,

the purity of religion, the spirituality of religion, and anything that tends to lead to that the Liberation Society is always anxious to support. Therefore I do not think that the right hon. Gentleman has any right to expect that those who entertain conscientious convictions on the subject should consider that a single evening is too much to devote to the discussion of the Bill on its Second Reading. No legislation of this kind is needed by the Kirk of Scotland. They manage to deal with their criminous clerks without such interference. Why, then, cannot the Established Church of England be made as free and able to deal with the conduct and discipline of its clergy as the Established Kirk of Scotland? The Episcopal Church in Scotland and the Episcopal Church in the Colonies are quite able to manage their own affairs; and I think they have managed their affairs quite as well without the aid of the law as the affairs of the Church have been managed in this country. We say that the Church of England should be made as free to deal with their criminous clerks as any other Churches. We have no wish to bring about the degradation of the Established Church. The right hon. Gentleman is, perhaps, not aware that we do not discern any difference between one Church and another. We believe there is a fair amount of truth and falsehood in them all; we wish that all Churches should be as pure as possible, and it is not fair that an attempt should be made to discredit us by saying that we desire to degrade the Church of England. Here we are in 1892—(laughter)—and that is a far more significant fact than some hon. Gentlemen opposite seem to think. The lifetime of the Church has been, say, eleven hundred or twelve hundred years, and it has been in the power of the Legislature for three hundred and fifty years to provide for the discipline of the clergy, and in former years Parliament was far more free to deal with matters of this kind than we are who have Small Holdings Bills and Employers' Liability Bills to distract our attention. But we are told that all the Statutes which have been passed to secure the discipline of the clergy are so much

Mr. Picton

waste paper, and that we must push aside Small Holdings and Employers' Liability in order that we may pass this Bill. This shows the utter impossibility of expecting Parliament to deal with matters of this kind, and it is because we regard measures of this kind as utterly ineffective and as only making confusion worse confounded, that we oppose any fresh attempts of this kind. We also protest against the fact that all recent Clergy Discipline Bills and Ecclesiastical Bills have involved certain slights upon those subjects of Her Majesty who do not profess themselves members of the Church of England. If it is a National Church it is equally a Church for all of us, and we are told that we are all responsible for the interests of the Established Church. In the Bill of last year it was specially stated that the two lay Assessors who are to assist the Bishops in dealing with criminous clerks were to be laymen professing the principles of the Church of England. I know there is no clause of that kind in this Bill; but, I ask, do the Government intend that any of these lay Assessors should be Nonconformists? Certainly they do not. There is a clause which deals with devising the rules for the choosing of these Assessors; and does anyone suppose that a Committee consisting largely of Bishops and Archbishops will not provide against the intrusion of Nonconformists into the Court of Assessors? Of course they will. In fact, all Bills of this kind that have been brought forward have treated the idea that Nonconformists are in any way responsible for matters of detail in connection with the Church of England as simply absurd and almost insolent. This House represents a United Kingdom, two-thirds of the population of which do not belong to the Church of England; and we who do not belong to the Church of England, and who may be heretics or infidels, are called upon to pass Acts concerning the Church; but when it comes to carrying out those Acts in detail—which certainly is of inferior importance to the Act in the first instance—and judging whether a parson has been drunk or has paid his

debts, no man is allowed to be a member of the Court of Assessors unless he is a *bona fide* member of the Church of England. I think the thing is perfectly absurd, and ought to be laughed out of existence. I have a document which has emanated from the Council of the English Church Union, and I do not think hon. Gentlemen opposite can consider that a very dangerous document. In a prefatory note to this document are these words—

“Clergy discipline is primarily a question concerning spiritual jurisdiction. The great question is, is this man fit any longer to have the cure of souls?”

How can Acts of Parliament devise means for dealing with a question like that which depends upon so many subtle spiritual characteristics, and cannot be dealt with by any stiff, hard system of law? Take the very first clause of this Bill. It provides that if a clergyman—and I trust the cases would be few—has been convicted of felony or misdemeanour, and sentenced to hard labour, or has had a bastardy order made against him, or has been proved guilty of adultery in a Divorce or Matrimonial Court, the Bishop as the mere mouthpiece, the mechanical speaking-trumpet of the Court, shall declare the living vacant. But if the convicted clergyman receives a free pardon his incapacity ceases. But free pardons are given for a variety of considerations; not only because a man may be innocent, but because there may have been some technical flaw in the evidence, or because, being a member of a crew of criminals, he turns Queen's evidence. This Bill would apply in any of those cases. We have known cases of clergymen who have been concerned in fraudulent cases, and if one of them were to turn Queen's evidence and receive his pardon he would instantly be re-instated. A Queen's pardon is a matter of secular jurisdiction altogether. It is a matter of policy, and has no relation to the fitness of a man for the cure of souls, and I have very great sympathy with the Council of the English Church Union in doubting very much whether a Bill like this is calculated to decide the fitness of a man for the cure of

souls. It is because of this, and not from any desire to maintain the imperfections of the Established Church, that we believe this Bill is wholly unfit and insufficient for the purpose. It will not rid the Church of criminous clerks, and is entirely inadequate to decide whether a man is fit to have the cure of souls; and for these reasons we intend to vote against it, even if there are only five or six to go into the Lobby, and I believe we shall have the sympathy of a very large number of the people on our side. Where are the men who support this Bill? The hon. Member for Hexham talks about the lay members of Convocation? How are they elected? I do not know. I have never heard of a rush to the poll for the election or of the necessity for closing the public-houses on the occasion. Nobody knows how they are elected, and they certainly do not represent any considerable amount of public opinion. There is no public opinion asking for this Bill. There is Church public opinion protesting against it, and we only unite with that in saying that it is utterly unworthy of the dignity of this Parliament and of the Church, in the interests of which it is supposed to be promoted, and I shall therefore vote against it.

(11.17.) Mr. A. J. BALFOUR rose in his place, and claimed to move, “That the Question be now put.”

(11.20.) Question put, “That the Question be now put.”

The House divided:—Ayes 197; Noes 58.—(Div. List, No. 87.)

Question put accordingly, “That the words proposed to be left out stand part of the Question.”

(11.30.) The House divided:—Ayes 231; Noes 26.—(Div. List, No. 88.)

(11.42.) Mr. A. J. BALFOUR claimed “That the Main Question be now put.”

Main Question put accordingly.

(11.40.) The House divided:—Ayes 230; Noes 17.—(Div. List, No. 89.)

Motion made, and Question proposed, “That the Bill be committed

to the Standing Committee on Law, &c."—(*Mr. A. J. Balfour.*)

(11.55.) **MR. SAMUEL EVANS :** The right hon. Gentleman earlier in the evening asked that the discussion should be brought to a close in order that we might come to a decision upon the question whether this Bill should be referred to the Standing Committee on Law. It is obvious that we have no time for the proper and adequate discussion of the question now whether this is a Bill which should be so referred, or whether it should be dealt with in Committee of the whole House? The character of Bills referred to the Standing Committee on Law is that they consist almost entirely of matters of procedure, and no matter of principle comes in. If that is the correct principle upon which Bills are referred to this Standing Committee, as I think it is, then I think it will be obvious that this is a Bill which should be discussed in Committee of the whole House. Indeed, I gathered from the speech of the right hon. Gentleman the Member for Midlothian an anticipation that the Bill would come on for discussion in the ordinary way in Committee of the whole House. He referred to many points raised by my hon. Friend (*Mr. Lloyd-George*), and said these were points to be determined after full discussion in Committee, and I think it was obvious from his remarks that he had in view Committee of the whole House. I hope the Leader of the House does not intend to force a decision on this Motion to-night. Subject to your ruling, Sir, it will be impossible for any Member to move an Instruction to the Committee, because it is necessary to give notice of such Instruction, and this we shall be precluded from doing if this Motion is now persisted in. But reverting again to my argument that questions of principle should not be relegated to this Standing Committee, let me point out that very early in the Committee discussion will arise a question upon the words "a Bishop may declare a living to be vacant." With an Amendment to omit the words "a Bishop may declare" there arises an important principle upon which controversy has long raged

in the Church, Erastians and Anti-Erastians being diametrically opposed on point of principle. Questions of principle, and not merely of procedure, at once arise, and I maintain that precedent is against sending such a Bill to the Committee on Law. There was a Bill which affords a precedent for such a case as this, when the Government raised the objection. I now urge—

(11.59.) **MR. A. J. BALFOUR** rose in his place, and claimed to move, "That the Question be now put."

MR. DEPUTY SPEAKER : No doubt the time allowed for the discussion of this Motion has been very short; but in considering the rights of a minority it is essential to take into account the use which the minority have made of the time at their disposal. I shall put the Question.

Question put, "That the Question be now put."

(12.0.) The House divided :—Ayes 193 ; Noes 41.—(*Div. List, No. 90.*)

Question put accordingly, "That the Bill be committed to the Standing Committee on Law, &c."

(12.10.) The House proceeded to a Division, and *Mr. Deputy Speaker* stated he thought the Ayes had it, and on his decision being challenged, it appeared to him that the Division was frivolously claimed; and he directed the Noes to stand up in their places, and Fourteen Members having stood up, *Mr. Deputy Speaker* declared that the Ayes had it.

Bill committed to the Standing Committee on Law, &c.

MOTION.

PIER AND HARBOUR PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of *Sir M. Hicks Beach*, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to *Canna, Fleetwood, Mevagissey, and Newlyn*, ordered to be brought in by *Sir M. Hicks Beach* and *Sir J. Gorst*.

Bill presented, and read first time. [*Bill 304.*]

House adjourned at twenty minutes after Twelve o'clock.

HOUSE OF COMMONS,

Friday, 29th April, 1892.

MR. SPEAKER'S INDISPOSITION.

The House being met, the Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker, owing to the continuance of his indisposition. Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

SELECTION (STANDING COMMITTEES).
(CHAIRMEN'S PANEL).

Sir JOHN MOWBRAY reported from the Committee of Selection that they had selected the following six Members to be the Chairman's Panel and to serve as Chairmen of the two Standing Committees to be appointed under Standing Order 49:—Mr. Campbell-Bannerman, Sir Henry James, Mr. Osborne Morgan, Mr. Arthur O'Connor, Sir Matthew White Ridley, and Mr. Salt.

Ordered, That the Report do lie upon the Table.

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection that they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Trade—including Agriculture and Fishing—Shipping, and Manufacture which may, by Order of the House, be committed to such Standing Committee:—Mr. Addison, Mr. Asher, Mr. Barnes, Mr. Barran, Sir Michael Hicks Beach, Sir Edward Birkbeck, Mr. Bolitho, Mr. Bonsor, Mr. Boord, Mr. A. H. Brown, Mr. Brunner, Mr. Burt, Mr. Carew, Mr. Joseph Chamberlain, Mr. Childers, Mr. Jesse Collings, Mr. Colman, Mr. Craig, Sir Charles Dalrymple, Baron Henry de Worms, Mr. Dixon-Hartland, Sir George Elliot, Mr. Thomas Ellis, Colonel Eyre, Mr. Hayes Fisher, Mr. Penrose Fitzgerald, Mr. Gibbs, Mr. Gilliat, Sir Julian Goldsmid, Mr. Grotian, Mr. Timothy Harrington, Mr. Heath, Sir William Houldsworth, Mr. Howell, Mr. Hoyle,

Mr. Jackson, Sir John Lubbock, Mr. Macartney, Mr. J. M. Maclean, Mr. M'Lagan, Mr. Morrough, Mr. Mowbray, Mr. Mundella, Mr. Murray, Mr. Murphy, Sir Stafford Northcote, Mr. T. P. O'Connor, Sir Richard Paget, Sir Joseph Pease, Mr. Rankin, Mr. Rathbone, Mr. Roche, Mr. Edmund Robertson, Mr. Round, Mr. Sexton, Mr. Sheil, Mr. William P. Sinclair, Mr. Samuel Smith, Mr. Mark Stewart, Mr. T. D. Sullivan, Mr. Tomlinson, Sir George Trevelyan, Sir Richard Webster, Mr. Stephen Williamson, Mr. C. H. Wilson, Mr. Winterbotham, and Mr. Wood.

Sir JOHN MOWBRAY further reported from the Committee of Selection that they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Law and Courts of Justice, and Legal Procedure which may, by Order of the House, be committed to such Standing Committee:—Mr. Tyssen Amherst, Mr. Asquith, Mr. Atherley-Jones, Mr. J. B. Balfour, Mr. Bartley, Mr. Beach, Mr. Jacob Bright, Mr. Bryce, Mr. Caldwell, Sir Edward Clarke, Mr. Coghill, Dr. Commins, Mr. Radcliffe Cooke, Mr. Donald Crawford, Mr. Cremer, Mr. Darling, Sir John Dorington, Mr. Dugdale, Mr. Arthur Elliot, Mr. John Ellis, Sir Thomas Esmonde, Mr. S. T. Evans, Mr. Lewis Fry, Mr. Forrest Fulton, Mr. Herbert Gardner, Mr. Herbert Gladstone, Mr. Gurdon, Mr. Haldane, Mr. Hall, Sir Charles Hall, Sir W. Vernon Harcourt, Sir Edward Harland, Mr. T. M. Healy, Mr. Staveley Hill, Mr. Hinckes, Mr. Samuel Hoare, Mr. Hobhouse, Mr. Isaacs, Sir Ughtred Kay-Shuttleworth, Mr. Kenyon, Mr. Knox, Mr. W. F. Lawrence, Mr. Shaw Lefevre, Mr. Llewellyn, Mr. Lockwood, Mr. Mac Neill, Mr. Madden, Mr. Mahony, Mr. Story-Maskelyne, Mr. Matthews, Mr. Milvain, Mr. John Morley, Mr. Mulholland, Mr. Muntz, Mr. William O'Brien, Sir Charles Pearson, Mr. Pickard, Mr. Picton, Mr. John E. Redmond, Mr. Bryn Roberts, Sir Albert Rollit, Sir Charles Russell, Sir George Russell, Mr. T. W. Russell, Mr. Ernest Spencer, Sir Richard Temple, Mr. Whitmore, and Mr. Stuart Wortley.

Reports to lie upon the Table.

LONDON COUNTY COUNCIL
(GENERAL POWERS) BILL.

COLONEL HUGHES (Woolwich) rose to move—

"That it be an Instruction to the Committee to consider the desirability of inserting a Clause enabling the Clerk of the County Council of London to correct the Totals of the Valuation Lists, so far as the same have been affected by the decisions on any rating appeals, and that Section 44 of 'The Valuation of Property (Metropolis) Act, 1869,' should apply thereto as if such correction had been duly made on an appeal against Totals."

MR. DEPUTY SPEAKER: I have considered the terms of the Motion for an Instruction of which the hon. Member has given notice. The Bill to which it refers is an omnibus Bill, but I do not find that any one of the clauses deals with any matter cognate to the subject of the Instruction, which, therefore, cannot be entertained, not being in order.

QUESTIONS.

HIGHER CLASS SCHOOL
INSPECTORS.

MR. E. ROBERTSON (Dundee): I beg to ask the Lord Advocate if he can state the names of the gentlemen employed for the inspection of higher class schools last year, and the fees paid to them respectively?

THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): It is not possible within the limits of an answer to give the information desired. But the hon. Member will obtain his information if he will be so good as to call at the Scotch Education Department.

THE CONVICTS RICHARDSON AND
EGDELL.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for the Home Department why the convict Charles Richardson, who has served ten years, is still detained, though George Egddell, convicted for the same crime, was released?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Egddell and Richardson were each sentenced to five years' penal servitude, not ten as

stated in the question, in November, 1888. Egddell was released on licence this month, six months before the ordinary time for licence, on the ground of his age, and because he was the first to make voluntary confession of a crime of which two other men had been convicted. Richardson will be due for licence in August next, if he has been of good conduct while in prison.

STREET OBSTRUCTION IN LAMBETH.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department whether he will issue instructions to the Chief Commissioner of Police to move on the crowd of betting men and others, who obstruct the pavement at the corner of York Road, Lambeth, every Monday, in a similar fashion to the way in which the crowd of Socialists was moved on at the World's End, Chelsea?

MR. MATTHEWS: I am informed by the Chief Commissioner that the men who congregate at the place in question are not betting men, but theatrical and music-hall artists, who meet there daily, but in specially large numbers on Mondays, in order to make arrangements with the agents who live near by. This has been a custom for many years past, and no complaints have been made to the police of annoyance or obstruction to traffic.

CIVIL SERVICE COPYISTS.

MR. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury what is the present number of Civil Service Writers on the register; how many have taken the gratuity since the issue of the Treasury Minute of 21st December, 1886; how many are in receipt of a bonus, and how many of a special rate of pay; and what is the total number of writers already promoted to the position of abstractor or assistant clerk?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): The number of Civil Service copyists at present on the register is 730; 353 have taken the gratuity since the issue of the Treasury Minute of 21st December, 1886; 476 are in receipt of bonus. The number in receipt of a special rate of pay cannot be definitely stated, as it varies according to the circumstances and requirements of departments from day to

day; 147 copyists have been promoted to the position of abstractor or assistant clerk.

TIES IN COUNTY COUNCIL ELECTIONS.

SIR WILFRID LAWSON (Cumberland, Cockermouth): I beg to ask the President of the Local Government Board whether his attention has been called to the election for a County Councillor for Maryport North, in Cumberland, in which the two candidates having received an equality of votes, and the Returning Officer having declined to give his casting vote, the result is that the County Council Division in question is at present without a representative; and whether he can suggest the proper course to be taken, or, in the event of legislation being necessary, he can hold out any hope of the required legislation being promoted by the Government?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The facts are, I believe, as stated by the hon. Member. It appears to me that it is a matter of regret that the Returning Officer did not exercise the power conferred upon him by the Statute of giving a casting vote in the case of an equality of votes; but, under the circumstances, I apprehend that if it is desired that a further election should be held, the only course is to apply to the High Court for the issue of a *mandamus* for the purpose.

SIR WILFRID LAWSON: Will it not be possible to introduce legislation to make the meaning clear? I fancy a Bill with that object would not meet with any opposition.

*MR. RITCHIE: The provision regarding election is that of the Municipal Corporations Act, which was incorporated in the Local Government Act. The terms of the Municipal Corporations Act appear to raise a difficulty, and I think it is extremely desirable that some method should be found to rectify what is undoubtedly a serious omission, but I am afraid I cannot promise immediate legislation.

SIR TREVOR LAWRENCE (Surrey, Reigate): I may remind the right hon. Gentleman that a similar case occurred at Reigate, Will the right hon. Gentleman

say whose business it is to apply for a *mandamus*?

*MR. RITCHIE: Anyone in the locality who is interested in the matter can move the High Court for a *mandamus*.

SIR TREVOR LAWRENCE: Any voter?

*MR. RITCHIE: Yes.

THE ENFIELD FACTORY AND SWORD CONTRACTS.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office if any orders for swords, cavalry, naval, and others, have been given to contractors; and if Enfield is without orders for swords at the present time?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (MR. BRODRICK, Surrey, Guildford): No orders for any kind of swords have been given for some time, either to the trade or to the Royal Small Arms Factory. The orders for this year are about to be given out, and care will be taken to keep the Enfield factory employed.

MR. CUNINGHAME GRAHAM: Do I understand that Enfield is at present without orders for swords?

MR. BRODRICK: I believe the orders are just being completed, but care will be taken to renew the Enfield orders.

VOLUNTEERS AND JURY SERVICE.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Financial Secretary to the War Office if he can state when the Lord Chancellor will introduce the measure contemplated dealing with the Jury Laws; and, if, having regard to the facts brought forward, showing that the liability to jury service of the Volunteer Force extends to only 25 per cent. of the non-commissioned officers, and 8 per cent. of the privates, Her Majesty's Government see their way to extend the concession as regards the officers to other ranks?

MR. BRODRICK: I am in communication with the Lord Chancellor in regard to this matter, and I shall be much obliged if my hon. Friend will put his question in a few days' time.

COLONEL HOWARD VINCENT: I will do so this day week.

THE COMPULSORY RETIREMENT OF CIVIL SERVANTS.

DR. CLARK (Caithness): I beg to ask the Secretary to the Treasury whether the rule laid down in the Order in Council for the compulsory retirement of Civil servants on attaining the age of 65 has been applied generally to all Departments; whether any Civil servants have been allowed to remain on active duty who are over 70 years of age; and, if so, how it is proposed to remunerate them for their services?

SIR J. GORST: Clause 10 of the Order in Council to which the hon. Member refers has been applied generally to all Departments except the legal Departments and the Houses of Lords and Commons. A few Civil servants, principally scientific or technical officers, remain on duty notwithstanding that they are over 70, but their services are only temporarily retained for special reasons. They are paid as for unestablished service, and that service does not count for pension.

THE SALARIES OF PRISON SURGEONS.

DR. CLARK: I beg to ask the Secretary to the Treasury whether it is the case that the surgeons of Northampton Prison with a daily population of 104 and commitments of 1,140, and Shrewsbury Prison with a daily population of 95 and commitments of 1,290, each receive a salary of £110 per annum, while the surgeons at Dundee Prison with a daily population of 109 and commitments of 3,560, and of Ayr Prison with a daily population of 70 and commitments of 1,750, receive respectively £80 and £70 per annum; why the salary of the Ayr Prison surgeon has been reduced; and under what rules are these salaries determined?

SIR J. GORST: I have no information to enable me to check the accuracy, or otherwise, of the numbers quoted. The salary at Ayr was recently revised on the death of the former surgeon so as to correspond more closely to the present scale at other prisons in Scotland. The salaries of prison surgeons in Scotland who do not give their whole time to the public are fixed, as far as possible, with reference to the number of commitments and daily average number of prisoners at the time when the surgeons are

appointed, a maximum of £80 being fixed in accordance with the recommendation of a Committee which sat in 1879.

DR. CLARK: Do the rules apply equally to Scotland and England?

SIR J. GORST: The hon. Gentleman will get better information from my right hon. Friend the Secretary of State for the Home Department; but if he will give me notice of his question I will procure the information for him.

THE IRISH PARLIAMENT HOUSE.

MR. CRILLY (Mayo, N.): I beg to ask the First Lord of the Treasury if he will allow the Return standing on the Notice Paper of to-day, referring to the agreement entered into in 1800, between the Government of the day and the Governors of the Bank of Ireland, as to tenancy by the latter of the buildings in College Green, Dublin, formerly devoted to the purposes of an Irish Legislature?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): In answer to the hon. Gentleman I have to say that I understand that a similar question was put to the right hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman) when he was Chief Secretary to the Lord Lieutenant in 1884, and he did not see his way to granting the required documents. I should be glad to know, before making any investigation as to the probability of granting the Return, whether any public object is intended to be served by it? Perhaps the hon. Member can give me some information on that point.

MR. CRILLY: In view of the likelihood of Home Rule being a burning question at the next General Election, and in view of the fact that the Irish people will insist upon getting the building back for the purposes of the new Parliament, I want to know what were the arrangements come to in 1800 between the Government of that day and the Bank of Ireland so that we may know upon what terms the building can be taken possession of again for the Irish people?

MR. A. J. BALFOUR: I do not think, so far as I understand the matter, that the real difficulty in the way of Home Rule will consist of any arrangements come to in 1800 between the Bank

of Ireland and the Government of the day. I am sure that when Home Rule is granted the hon. Member will find no difficulty in obtaining the necessary premises for conducting the business of Ireland.

MR. CRILLY: In view of the fact that when the right hon. Gentleman the Member for Midlothian introduced his Home Rule Bill in 1886 he reprinted for the use of Members a number of historical documents connected with the period of the Union, I would like to know what objection and what difficulty there would be in allowing this Parliament, the successor to the Parliament which made the arrangement, to see the agreement entered into with the Bank of Ireland?

MR. T. W. RUSSELL (Tyronne, S.): Before the right hon. Gentleman answers that question may I ask—

MR. DEPUTY SPEAKER: Order, order! It is an argumentative question, and should not be put.

ELEMENTARY SCHOOL INSPECTORS.

MR. HENRY J. WILSON (York, W.R., Holmfirth): I beg to ask the Vice President of the Committee of Council on Education what experience in the teaching and management of public elementary schools each of the three recently appointed Inspectors has had; in which division of the certificate examination held by the Education Department's Examiners these Inspectors passed; whether one of these Inspectors, Mr. Marvin, has been examined more than once by the Civil Service Commissioners for the office of Inspector's assistant, and, if so, why; what was the duration of Mr. Marvin's experience as Inspector's assistant; and what academical degrees and what experience in the work of public elementary schools were possessed by the sub-Inspectors and Inspectors' assistants over whose heads Mr. Marvin was promoted?

***THE VICE PRESIDENT OF THE COUNCIL** (Sir W. HART DYKE, Kent, Dartford): Only one of the recently appointed Inspectors was a certificated teacher who had graduated in first-class honours, and of the other two, one was Senior Wrangler of his year, and the other, after obtaining the highest honours of his University, had been employed some years in tuition. The hon. Member is probably aware of the conditions

under which Inspectors are appointed, as they are printed in a Memorandum which is freely circulated to all applicants, and also that every Inspector, when first appointed, is employed on probation with another Inspector in order that he may obtain sufficient experience of elementary schools under qualified supervision. I may further take the opportunity of reminding him that the most delicate and important part of an Inspector's duties lies outside the school, and that a higher equipment than the position and training of a certificated teacher can often afford, is required in order to qualify him to act as the agent of the Department in difficult negotiations with managers and School Boards, and as its adviser in dealing with the intricate questions of school supply.

SCIENCE TEACHING AT SOUTH KENSINGTON.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Vice President of the Committee of Council on Education whether he can now state to the House what arrangements the Government intend to make to meet the urgent necessities of science teaching at South Kensington?

***SIR W. HART DYKE:** I am unable to enlighten the hon. Gentleman in regard to this matter at this moment. The Science and Art Department is in communication with the Treasury on the subject, and I hope soon to be in a position to say something definite. I will let the hon. Member know how matters progress.

BURGH POLICE AND HEALTH (SCOTLAND) BILL.

MR. SHAW-STEWART (Renfrew, E.): May I ask the First Lord of the Treasury whether there is any foundation for the rumour that the Government intend to withdraw the Public Health Clauses of the Burgh Police and Health (Scotland) Bill?

MR. A. J. BALFOUR: I understand that a rumour has got abroad that I have entered into an arrangement with an hon. Member by which the Bill is to be altered in the sense indicated in the question. I had some conversation on the subject, and it is possible that a compromise between those who object to the

Bill in its present shape, and those who desire to see it passed, may be come to on the lines suggested; but I never indicated that it was my opinion that that course ought to be pursued. I should be sorry to express an opinion on it, and it certainly is a course which cannot be decided upon by any private agreement. I hope some arrangement may be come to, for the Bill is of a character that it cannot pass through its stages without general consent.

DR. CLARK: Perhaps I may be allowed to say that the only thing the right hon. Gentleman agreed to was that he would pass over the Public Health Clauses as contentious clauses, leaving questions in relation to these for further consideration?

THE BECHUANALAND BORDER POLICE.

COLONEL HOWARD VINCENT, on behalf of Mr. LOCKWOOD (York): I beg to ask the Under Secretary of State for the Colonies upon what system promotion is carried out in the Bechuanaland Border Police; and whether, in the interests of the Force itself and the public, promotion therein will be conducted upon the same principles as those which are acted upon in the Regular Army?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Promotions within the Bechuanaland Border Police are made on the recommendation of the officer commanding, with the approval of the High Commissioner, due regard being paid to the claims arising from efficiency and seniority. This has been found to work well, and the Secretary of State sees no reason to alter it. It is hardly necessary to point out that this Police Force is very different in many respects from the Regular Army.

CATTLE DISEASE IN ESSEX.

MR. H. GARDNER (Essex, Saffron Walden): May I ask the President of the Board of Agriculture whether the Order of the Department of 13th April placing restrictions, in consequence of the outbreak of foot-and-mouth disease, on the movement of cattle in the district of Royston, Bishops Stortford, and Saffron Walden, has been, or will be, rescinded?

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THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I am glad to be able to say that all the restrictions affecting the county of Essex have been removed by Order within the last few days, and that the Order will come into force on Monday next.

A DEADLOCK IN THE BOARD OF AGRICULTURE.

MR. P. STANHOPE (Wendesbury): I beg to ask the President of the Board of Agriculture whether some remedy can be found for the present deadlock in the administration of the Inclosure and Land Department of the Board of Agriculture, owing to the continued illness of its present chief, Sir Jacob Wilson?

MR. CHAPLIN: I regret to say that it is the fact that Sir Jacob Wilson is prevented by a relapse of illness—following upon an attack of influenza and a premature return to his duties—from attending his Department at the present moment. But he was at his post immediately before the Easter holidays, and the amiable assumption of the hon. Member that the work of this Department is, in consequence, at a deadlock, I believe to be entirely without foundation. But if the hon. Member has any reason to suppose that unwarranted delay has occurred in any individual case and will supply me with particulars, I shall be happy to give my personal attention to the matter.

COUNTY CORK WATER SUPPLY.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps the Local Government Board have taken to settle the difficulties which have arisen in connection with the water supply of Kilworth, in the Fermoy, County Cork, Union?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): A delay has occurred in proceeding with the Water Supply Scheme for Kilworth in consequence of differences between the Sanitary Authority and an owner of water rights affected by the proposed scheme. As, however, there seems no immediate prospect of an amicable settlement of these differences being come to, the Local Government Board are about to issue the necessary Provi-

sional Order in connection with the scheme, leaving these differences to be settled in the ordinary course.

UNSANITARY HOUSES IN THE BANDON UNION.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and, if so, what, steps have been taken to remedy the unsanitary condition of houses in the Kilbrittain district of the Bandon Union; and whether the Local Government Board will consider the application of Dr. Shorter, of Kilbrittain, to insist on the Bandon Board of Guardians appointing a third relieving officer, and thus prevent the frequently reported unsanitary condition of houses in the Union?

MR. JACKSON: The Board of Guardians of the Bandon Union had under consideration, on the 13th inst., a complaint made by the Medical Officer mentioned, in reference to the unsanitary condition of some houses in his district. The sanitary sub-officer reported that he had already served notices on the offending parties, and the Guardians thereupon directed that he should serve fresh notices requiring the premises complained of to be put in order within 14 days. The Guardians had on a previous occasion under consideration the question of appointing a third relieving officer. This question appears to come up for consideration early next month.

POISONOUS EXPLOSIVES IN MINES.

DR. TANNER: I beg to ask the President of the Board of Trade whether his attention has been directed to the verdict of a Coroner's jury at an inquest held at Atherton, on Friday, 12th February, 1892, in the case of Edward Sandeland, when the verdict was that the deceased died from having, while at work in the Chanters Pit, Atherton, by accident and misfortune, inhaled certain noxious gases liberated upon the explosion there of a roburite cartridge, and that he came to his death by accident, and not otherwise; and whether any, and, if so, what, steps will be taken to protect life in mines by preventing the use of poisonous explosives?

MR. MATTHEWS: The hon. Member will allow me to answer the question. Yes, Sir; I have had my attention called to the facts of the case of Edward

Sandeland, and to the verdict of the jury. Although the jury decided that the death of the deceased man was due to the poisonous fumes of a roburite shot, yet there was at the inquest a difference of medical opinion upon the subject, and I have since had other competent opinions not in accordance with the verdict. The Inspector of the district informs me that the precautions observed on the occasion in question, both in respect of the time which elapsed before the workmen returned to the working place, and in respect of the air current which passed through the working place, were in conformity with the recommendations of a skilled Commission in Durham, which inquired into the possibility of danger arising from the use of roburite as an explosive in mines. Under these circumstances, I do not think that I ought to interfere under the Coal Mines Regulation Act to prevent the use of an explosive which is largely used and which has the advantage of being flameless.

SMALL-POX IN DEWSBURY AND BATLEY.

DR. TANNER: I beg to ask the President of the Local Government Board if his attention has been called to the fact that an epidemic of small-pox now prevails in Dewsbury, Batley, and the neighbourhood known as the heavy woollen district; and has led to heavy local expenditure in providing for the necessities of the case; whether complete isolation of persons capable of spreading infection is attended to; and whether the origin of the epidemic can be traced to inefficient vaccination?

*MR. RITCHIE: I am aware that there has been an outbreak of small-pox in the district referred to in the question. The Town Councils of Dewsbury and Batley have provided some hospital accommodation, but I cannot state that the arrangements in the district are such as adequately to provide for the complete isolation of all persons capable of spreading infection, although the necessity for providing such means of isolation has on several occasions been urged on the Sanitary Authorities by the Local Government Board. The questions of the origin of the epidemic and of its relation to vaccination are being investigated for the Royal Com-

mission on Vaccination by Dr. Sidney Coupland, of the Middlesex Hospital, who has already been in the district for some weeks.

EMIGRATION FROM IRELAND TO AMERICA.

DR. TANNER: I beg to ask the President of the Board of Trade if his attention has been called to the large number of emigrants now leaving Ireland for America; whether it is true that 800 emigrants embarked at Queens-town on the 22nd instant on the Cunard steamship *Pavonia* for Boston; and whether steps have been, and are being, taken to insure efficient sanitary, hospital, and water provision, and medical inspection after leaving port, for such steerage passengers by the Board of Trade?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am informed that a large number of emigrants are leaving Ireland for America, and that about 800 embarked at Queenstown on the 22nd on the Cunard steamship *Pavonia* for Boston. The emigration officer reports that the sanitary and hospital arrangements on board were satisfactory, that the water and provisions were sufficient, and that the passengers were medically inspected by the sanitary surveyor before the ship left port. There was a surgeon on board whose duty it would, of course, be to attend to the medical supervision of the passengers after leaving port.

DR. TANNER: I would ask the right hon. Gentleman whether the *Pavonia* is fitted with permanent steerage accommodation or not; whether the sanitary arrangements for the large number of emigrants carried in the ship are of a permanent character, and have been passed by the Medical Officers of the Board of Trade?

*SIR M. HICKS BEACH: I have stated that they have been passed. I cannot say how far the arrangements are of a permanent character.

DR. TANNER: I will raise this question in Committee on the Estimates.

IMPORTED GUNPOWDER BARRELS.

DR. TANNER: I beg to ask the Financial Secretary to the War Office whether any opportunity has been given to the Ballincollig coopers and Cork coopers of providing the gunpowder casks

hitherto imported into Ireland for the carriage of powder from the manufactory at Ballincollig, County Cork?

MR. BRODRICK: Since my last reply on this subject a contract for a supply of gunpowder has been made with the Ballincollig Company, but they did not on this occasion wish to supply the barrels, although the opportunity was given them. They are, however, about to furnish a sample barrel with a view to supplying their own barrels in the future.

CORK BOARD OF GUARDIANS.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the attention of the been directed to the conduct of the Chairman of the Cork Board of Guardians Local Government Board has dians, in refusing, on Thursday the 21st instant, to proceed with the election of dispensary committees, to the great inconvenience of Guardians convened for the purpose of proceeding with such election, and whether inquiry will be made into this and other rulings of a similar nature?

MR. JACKSON: I am informed that it is not the case that the Chairman of the Cork Board of Guardians refused to proceed with the election of the Committee on the 21st inst. as alleged; nor, as a matter of fact, were the Guardians convened for the purpose of such elections.

DR. TANNER: Is the right hon. Gentleman not aware that on Thursday last week the Guardians were prepared to proceed with the election of the committees, and that the Chairman distinctly refused to carry out what the Guardians were assembled for?

MR. JACKSON: I have already said that cannot be the fact, because the Guardians were not convened for the purpose.

DR. TANNER: As an old Guardian of the Union I can assure the right hon. Gentleman that the information supplied to him is, as indeed it often is, inaccurate.

HIGH GRADE SCHOOLS IN SCOTLAND.

MR. CRAWFORD (Lanark, N.E.): May I ask the right hon. Gentleman the First Lord of the Treasury whether there is any objection to giving a Return.

by counties, of Burgh Schools, Endowed Schools, and Private Schools referred to in the Memorandum on the proposed Grant for Higher Education in Scotland of the 12th day of April, 1892?

MR. A. J. BALFOUR: My right hon. Friend the Lord Advocate is not here just now, and I cannot give an answer without consulting the Scotch Office. In any case, I think it could hardly be in the hands of Members in time for the approaching discussion.

MR. CRAWFORD: I will put the information I desire in the form of a question, and perhaps it can be given within the limits of an answer.

MR. A. J. BALFOUR: If the hon. Member would do that on Monday, my right hon. Friend will reply.

MRS. MONTAGU.

DR. TANNER: I beg to ask the Chief Secretary a question of which I have given him private notice. I wish to ask the right hon. Gentleman the direct question whether the prisoner Mrs. Montagu is required to wear the prison dress? I find from the reports of what took place yesterday, when a question on the subject was asked, that the right hon. Gentleman's reply was not clearly understood.

MR. JACKSON: I am sorry if I did not make my meaning clear—I thought I had done so. I read the Rule 28, under which power is given to the General Prisons Board to allow a prisoner to wear his own dress on application being made for that purpose. A petition to the Board from Mrs. Montagu to be allowed to wear her own dress was presented to the Board, and the Board saw no reason for making an exception in her case, and gave permission.

DR. TANNER: But, Sir, is Mrs. Montagu now wearing her own clothes, or is she wearing the prison dress? I really must press for a direct answer. I find that different papers take different views of the fact. Is this prisoner wearing the prison dress or not?

MR. JACKSON: I have already twice said Mrs. Montagu applied to be allowed to wear her own dress, and permission was given.

MR. CUNINGHAME GRAHAM: Will the right hon. Gentleman order that Mrs. Montagu shall be treated like any ordinary prisoner?

MR. JACKSON: I stated yesterday that no exception had been made in the case of Mrs. Montagu.

THE IRISH HOME RULE MOTION.

MR. MACARTNEY (Antrim, S.): I wish to ask your ruling, Sir, on a point of Order connected with a Motion standing in the name of the hon. Member for South Armagh (Mr. Blane) with respect to the establishment of an Irish Parliament. I wish to ask whether the discussion on that Motion will be in any way interfered with by the terms of the Motion standing in the name of the hon. Member for Caithness (Dr. Clark) for to-night?

MR. DEPUTY SPEAKER: I must say, in reference to this question, on behalf of Mr. Speaker, that the matter was never brought before him at all till last Wednesday, and therefore the statements that have been made in the Press are quite unauthorised. The question on the Paper for to-day is so different in scope from that standing in the name of the hon. Member for South Armagh for next Friday, that the discussion of the latter Motion will not be prejudiced by any decision the House may come to on the former.

MOTIONS.

BUSINESS OF THE HOUSE (MORNING SITTINGS).—RESOLUTION.

(3.58.) MR. A. J. BALFOUR: I beg to move the Resolution which stands in my name, in regard to the Business of the House. I do not think it is necessary for me to do more than to remind the House that the arrangement I now propose was in force for some weeks before Easter, and was approved, I think, by all sections in the House. It enables private Members to discuss—not at great length, but adequately—subjects in which they are interested on the evenings of Tuesdays and Fridays, and it allows the Government to get on with Government Business at the Morning Sittings on those days. Under these circumstances, and until occasion arises, which in the ordinary course it does at a later period of the Session, for the Government to ask for still greater privileges for the transaction of business, I think we may be content to ask for a

continuance of the arrangement which proved so successful for a few weeks before Easter. I hope the House will be disposed to accept without opposition the Motion I now make.

Motion made, and Question proposed, "That, unless the House otherwise order, the House do meet at Two of the clock on Tuesday and Friday; and that the provisions of Standing Order 56 be extended to the Morning Sitting on 'those days.'"—(*Mr. A. J. Balfour.*)

(4.0.) MR. H. GARDNER (Essex, Saffron Walden): I cannot help thinking that many hon. Members have felt some surprise at hearing the information which the First Lord of the Treasury has offered with regard to the Motion which he has now placed before the House. I do not wish myself to delay the Business of the House by making any lengthened observations; I merely wish to make a short protest on behalf of myself and on behalf of those agricultural Members who take, as I do, and whose constituents take, a very deep interest in the Small Holdings Bill, against the way in which I venture to think the Government have treated the House with regard to that very important matter. As the House will recollect, when the Bill was introduced into the House, the right hon. Gentleman the First Lord of the Treasury laid very great weight upon the Bill, and he, or the President of the Board of Agriculture, announced that the Government would stand or fall by that Bill. The Bill was received with sufficient favour by hon. Gentlemen on this side of the House. They found, of course, something to criticise in it; for instance, that it did not include the very important principle of compulsion and various other questions which the Representatives of agricultural constituencies think of the highest importance with regard to a measure of this sort. But, on the whole, I think I may say that we who represent agricultural constituencies in the country are extremely anxious to see this Bill passed, and passed speedily. When a question on this subject was put to the First Lord of the Treasury—I rather fancy it was by myself—he said that when the Bill got into Committee he intended to proceed with it *de die in diem*, and when it did get into Committee we proceeded some way with the Bill. The

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House then rose for the Easter Recess, and when we sat again last Monday we did not expect the Government would proceed with it on the first day that Parliament met, but still we expected that at some period very near to the time at which the House again met we should proceed with this very important measure. We certainly had not for a single moment expected that the right hon. Gentleman the First Lord of the Treasury would get up after the somewhat prolonged Recess we have had at Easter and practically defer the consideration of this most important Bill which the Government are anxious to see passed, and which hon. Gentlemen on this side of the House are also most anxious to see passed—we did not for a single moment expect the First Lord of the Treasury would defer the consideration of this most important Bill for a fortnight after the re-assembling of Parliament.

(4.5.) MR. MACARTNEY (Antrim, S.): I desire to appeal to my right hon. Friend the First Lord of the Treasury to make an exception in favour of the Motion which stands in the name of the hon. Member for South Armagh (*Mr. Blane*), and which deals with a question which an hon. Member sitting on the other side of the House this afternoon told the House was to be the burning question at the General Election; and hon. Members on both sides of the House know that, sooner or later, a General Election will come. I appeal to my right hon. Friend to except Friday, the 6th of May, from his Motion; and I appeal to him on this ground, and I think hon. and right hon. Gentlemen on the other side of the House will see that it is a very sound ground. If my right hon. Friend carries his Motion without making an exception of the 6th of May, what will happen will be this: The Motion of the hon. Member for South Armagh will come on for discussion at nine o'clock, and, according to the Rules of the House, the discussion will close in three hours. The hon. Member for South Armagh would probably open the discussion, and lay his views before the House; he would be followed probably by the various leaders of the sections of the hon. Members for Ireland. Then undoubtedly there are no less than two or three right

hon. Gentlemen on the Front Opposition Bench who would be most anxious to take the opportunity to express their views on the subject. The right hon. Gentleman the Member for Derby told us in his speech the other day in the New Forest that he had not been aware of the terms of the Motion, but that he would be prepared on some other occasion to discuss it, and I am sure we would be delighted to hear him. But what would be the result of this? The intervention of right hon. Gentlemen on the Front Bench during the three hours undoubtedly would leave very little time for the other hon. Members from Ireland who sit on this side of the House, and other independent Members who have no chance of catching your eye on those occasions, Mr. Deputy Speaker, but who are very anxious indeed to contribute their views on this important Motion. Therefore, I think, having regard to the great interests at stake, the fact that right hon. Gentlemen opposite and hon. Members below the Gangway tell us that this is to be the burning question at the General Election, and the fact that the discussion will have the effect of clearing away a good deal of misconception, both above and below the Gangway, as to what is the particular position occupied by the Party opposite on this question, I feel that my right hon. Friend will be doing a very just and reasonable thing if he excepts from his Motion Friday, the 6th of May.

(4.9.) SIR W. HARCOURT (Derby): I do not rise for the purpose of offering any opposition to the Motion made by the right hon. Gentleman opposite. My right hon. Friend the Member for Midlothian (Mr. W. E. Gladstone) desires me to state on his behalf that, with the view of forwarding business, he desires to offer no opposition to that Motion. In reference to the appeal made by the hon. Member who has just sat down, I think, as the hon. Member takes such an interest in the Motion that is intended to be moved by the hon. Member for South Armagh, that if he were to undertake to second it, it would probably commend itself to the right hon. Gentleman the Leader of the House. He seems to be afraid that there will not be sufficient time for the discussion of

that Motion, or time to express his own opinion upon the subject, and that hon. Gentlemen on these Benches are likely to fully occupy all the time of the House. I should be extremely glad to offer him the time I might have occupied, and the hon. Member may rest assured that I have not the smallest desire to interfere with him in fully discussing the subject. It is most interesting to see the great interest which Ulster takes with the other parts of Ireland in this particular Motion. Its support of the Motion must give great hopes of that harmony in Ireland which we are all desirous to see existing. With reference to the Motion which the right hon. Gentleman has made, I think it proper that we should ask some explanation of the use that is going to be made of the time of private Members that he has proposed to take. Now my hon. Friend the Member for Saffron Walden has, I think, expressed some natural surprise at the manner in which, day after day, the Small Holdings Bill is shoved off—measures of the smallest and the very simplest importance seem to be seized upon for the purpose of postponing the consideration of that question. Now I have a very distinct recollection that when this Bill was first introduced and put first, the Government declared that they meant to proceed with it *de die in diem*. I cannot understand why that declaration has been departed from. I have had sufficient means of ascertaining the views and intentions of Gentlemen who sit on this side; and I am quite sure that there is no disposition to prolong the discussion upon that Bill. I believe I am expressing their sentiments when I say that they consider that the main points have been already discussed upon the Amendments that have been moved. There are probably one or two other points which will have to be raised upon the Bill; but I think that I may confidently say that if the Government wish on Monday next to resume the consideration of this Bill, and if they get the time which the right hon. Gentleman asks for in his Motion, there is no doubt whatever that the Small Holdings Bill might be passed through Committee in the course of next week; and that being so, surely that is the most convenient arrangement of business, and I would ask the right hon. Gentleman to consider

whether it is not the course he should take. With regard to the discussion on the Budget, there are some important matters that may be raised upon it, but they are not matters at all urgent. The question of whether the consideration of the Budget should be taken on Thursday next, or whether it should be taken in the ensuing week, seems to me not to be a material question. It seems to me that there could not be a more appropriate method of dealing with the time placed at the disposal of the Government; and if I might reciprocate the interest in the Irish question which has been already expressed by the hon. Member who has just sat down, I, too, have a considerable interest in the discussion upon the plan of the Government for Local Government in Ireland. Now it must be quite plainly seen by the Government that one of the results of this perpetual postponement of the Small Holdings Bill is to protract, prolong, and put off the period of the discussion of that measure. I venture to suggest to the right hon. Gentleman that he should proceed at once, as he can without difficulty or any serious opposition, to conclude the discussion of the Small Holdings Bill.

(4.16.) MR. ARTHUR ELLIOT (Roxburgh): I should like to call the attention of the right hon. Gentleman to another question which is likely to be affected by his Motion. I refer to the Resolution to be brought forward by my hon. Friend the Member for Glasgow for the Disestablishment of the Church in Scotland. I should like to ask, as the Resolution stands far down on the Paper, whether on that day the Evening Sitting would extend from nine o'clock to one o'clock?

MR. A. J. BALFOUR: No; we altered that by Standing Order.

MR. ARTHUR ELLIOT: Then I shall reserve the remarks I intended to make. However, I think that a matter of extreme importance such as this should be brought forward at a time when a reasonable discussion could take place upon it. But I do not think there is much good in grumbling about the matter. I do not see how the difficulty can be met; but I should like, if possible, on the occasion to which I refer that the nine o'clock Sitting should go on till one o'clock. ("No, no!") Well, then, I do not know whether it would not be better

to vote on the question without any discussion than to take it up and dispose of it without having properly discussed it. I think it very unfortunate that this very important discussion should come on at a time when it cannot be done justice to on one side of the House or the other.

*(4.18.) MR. CREMER (Shoreditch, Haggerston): I hope the right hon. Gentleman will not accede to the suggestion of the hon. Member who has just sat down. Twelve o'clock is quite late enough for the Members of this House who have to work for their living during the day, and who are consequently not able to sit hereto a late hour at night. But I rise to ask the right hon. Gentleman if he will be good enough to state—for the information of several Members of the House who have balloted several times during the Session and not had an opportunity of bringing forward their Motions in consequence of the attitude taken up by the Government—I wish to ask the right hon. Gentleman if he would be good enough to state how long he proposes to continue the rule which he now asks the House to sanction—whether he proposes that the rule shall only extend to Whitsuntide, or beyond it? Of course, I know every Member regards his own Motion as the most important which the House of Commons could undertake to consider. I may, therefore, be pardoned for expressing the opinion that the Motion which I have down for next Tuesday is one of the most important that the House of Commons could be called upon to discuss. It has been down twice during the Session. A number of other Members are placed in the same position as myself; and it might save us the trouble of coming down on Tuesday and Friday to ballot for places, if the right hon. Gentleman would give a clear answer to the question which I have put to him. My Motion has reference to a Treaty of Arbitration between Great Britain and the United States of America. Since Mr. Plimsoll's Motion with regard to the shipping question, I doubt if any Resolution has ever elicited such an extraordinary expression of opinion concerning the question as my Motion. Fifty-seven Trades Councils out of the 62 in the United Kingdom, and

nearly every organised body of workers in the country, have expressed their opinion in favour of it, to say nothing of the great religious bodies. Therefore I think I am entitled to ask the right hon. Gentleman whether I am likely to have an opportunity of calling attention to the subject this Session, or whether it must be deferred till the new Parliament.

(4.20.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I think it would be much better for the Government to take one whole night, and to leave the whole of the other night to private Members than to revive Morning Sittings. The right hon. Gentleman has said that Morning Sittings have worked very satisfactorily until Easter. I think, on the contrary, hon. Members will see that the result of Morning Sittings has been that practically the Government made no progress at all with business in these Morning Sittings, and destroyed all the benefit which private Members would have been able to obtain from a proper discussion of their Motions. I do not know that there is any use in protesting against these Morning Sittings, but I should like to enter my protest against what I think is an unprecedented thing—namely, taking Morning Sittings after Whitsuntide. It has always been the custom of the Government after Whitsuntide to take one whole night to deal with the remaining business of the Session, and leave the other night for private Members. If that course were adopted on this occasion we should have ample opportunity of having this Home Rule question discussed, and there would be plenty of time left for the hon. Member for Glasgow to make as long a speech as he liked in reference to Scotch Disestablishment, and plenty of time for hon. Members to take part in that Debate. I know it is no use appealing to the right hon. Gentleman upon this question; but I think it my duty to protest against this perpetual system of the introduction of Morning Sittings. I believe they are destructive of the despatch of Government business, and certainly they are destructive of all the use and efficiency of private Members' business.

(4.26.) MR. JOHN ELLIS (Nottingham, Rushcliffe): I agree with what my hon. Friend the Member for Saffron Walden has said with respect to the

Small Holdings Bill, and I think there are some other measures of the Government with respect to which great interest is felt out-of-doors. I am bound to say, however, that I do not consider the Motion of the right hon. Gentleman, having regard to the state of business, as at all unreasonable. I doubt very much if in recent years you could find that the House has been sitting for fifty days out of a normal Session of one hundred and twenty and the Government business in a state of such lamentable arrear as it is. Since the beginning of the Session on the 9th February, the House has got into Committee and made some progress with regard to two measures only—the Indian Councils Bill and the Small Holdings Bill—and we are just entering Committee with regard to the Clergy Discipline Bill. That is to say, there are three measures out of ten that have passed the Second Reading, and that we have made any progress with; and there are but four other measures which have only been read a first time. There is the Irish Education Bill, the Private Procedure Bill—which I believe after the Recess we shall not hear much more of—and above all there is the Irish Local Government Bill. I venture to say unhesitatingly that the state of Irish business is a scandal and a reproach to Her Majesty's Government. In January, 1886, the Government of Lord Salisbury came before the House with the Irish Local Government Bill as a primary measure in Her Majesty's Speech of that Session. The Leader of the House after the General Election of that year, the noble Lord the Member for South Paddington, speaking from that Bench, over and over again promised that that measure would be dealt with. But what do we find? In reply to a question by the right hon. Gentleman the Member for Derby, it was said this matter should be proceeded with immediately after the Small Holdings Bill had been through Committee. There is no reason in my mind why, after Easter, we should not have proceeded with that Bill. Then there are four measures that have not been heard of at all: that is, the District Councils Bill, which has been referred to in the south-west of England by a most distinguished supporter of Her Majesty's Government during the Recess; and the

Bill for the Relief of Public Elementary Schools from rates, an important matter in which great interest is taken. Then there is a most important commercial measure, the Bill relating to the agreement between the Government and the Bank of England; and, above all, there is the Employers' Liability Bill, a Bill upon which a great deal of time was spent in Grand Committee in 1888, a Bill which affects hundreds of thousands of persons outside this House, and in which they are very keenly interested, and which of course should be dealt with by Her Majesty's Government, if they have really any *bona fides* on the subject. If the Government had had the slightest desire to put an end to the crying evils that exist in regard to this matter they could have done so. I will not go so fully into the question as to say whose fault it is that we find ourselves in this lamentable condition with regard to the Business of this House. People are constantly accusing the Leader of the House with being young at his work, and with rushing into discussions when he might well keep silence; but, in my opinion, the right hon. Gentleman's misfortune has been that he has had supporters behind him who would not support him. I think there is much accuracy in the criticism of the First Lord of the Treasury himself with reference to the Parliament with which he has to deal. He used very strong language in the Debate upon the Septennial Act. He applied the word "senile" to the House. Now, if he considers that the House of Commons has fallen into a condition of senility, the Government have a very easy remedy. Let them send us to our constituents, take the sense of the country, and introduce the new vigour which is so much needed into the action of Parliament. I do not consider the request of the right hon. Gentleman is an unreasonable one under all the circumstances of the case, but its justification depends entirely upon the manner in which the Government intend to use the time which they are endeavouring to obtain. If they will only act with a little more method and vigour they will enable us to proceed with business in a reasonable way; but if they show lassitude and procrastination, and the same old habit of postponing measures, then we shall only be doing what we have hitherto

Mr. John Ellis

done, and that is wasting the time of the House.

(4.33.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): My hon. Friend who has just sat down has asked the House to use a certain amount of method in conducting the Business of the House. I wish to add my appeal to the right hon. Gentleman the First Lord of the Treasury, for some information with reference to the measures which are to be dealt with. He proposes to take on Monday the measure dealing with the Scotch Equivalent Grant. That is to be interpreted as if it were to be in the middle of the Committee stage of the Small Holdings Bill. I could understand it, if the Equivalent Grant measure could be got through in a very short time, but I am sure that it will give rise to a most interesting discussion, which will occupy probably more than one night. If there is to be a gap made in the proceedings with regard to the Small Holdings Bill, I certainly can hold out no hope that it will be a small one. As the right hon. Gentleman knows, the Equivalent Grant question is connected with the scheme for secondary education for Scotland—a scheme which proposes to make certain changes in the Scotch Education Department. Now the report of that Department was only issued last week, and we have not heard a word from our constituents as to their views with regard to it. I would therefore appeal to the right hon. Gentleman both on that ground, and because of the merits of the Bill, not to take the Scotch Equivalent Grant Bill in the middle of the Committee Stage of the Small Holdings Bill.

*(4.36.) MR. MORTON (Peterborough): I am not troubled by what may happen next Friday, but the more you discuss Home Rule the better I shall be pleased. It is interesting to notice that Parnellite Members—or those who are called Parnellite Members—now sit on both sides of the House. I have personally no objection to the Resolution proposed by the right hon. Gentleman to-day, so long as we understand that we are to take up the practical business of the country. I have, indeed, some reason to be in favour of that Resolution, because it does not appear to me, from what occurred on Tuesday last (when we had a "count out"), that private Members take much trouble to attend

here when they have an opportunity of looking after Private Business.

I would ask the right hon. Gentleman why he has said nothing about Supply? Apparently it is going to be left over until the end of the Session, and then taken in the middle of the night. When does the right hon. Gentleman propose to take Supply again? When does he propose to go on with the consideration of the Ordnance Vote? We were prevented from discussing matters with reference to the War Office on the first Vote, but we did anticipate that we should be allowed to go on with the discussion on the Ordnance Vote. For some extraordinary reason, however, the Government seemed to be afraid to face that discussion. I do not know whether it is because Birmingham is mixed up with Enfield in regard to it. It is only fair that we should be given an early opportunity of finishing that discussion. I wish now again to raise the question of the appointment of the Committee to consider the subject of the Parliamentary Debates. I brought the matter forward last Session, and again this Session, as a matter of urgency on the Vote on Account, and I asked for the appointment of a Committee. If it is delayed until the end of the Session the matter will be kept over till next year. The Committee should meet early if their Report is to be considered this Session. With apparently the general consent of the House, the Government promised we should have such a Committee. If no other alteration can be made, I think it would be advisable to do away with our present arrangement, and so save the £2,000 or £3,000 we are now paying for what is called the German or Reuter's Parliamentary Reports by taking in the weekly issue of the *Times* Parliamentary Reports, until we have some better system to suit the requirements of the House. I hope the Leader of the House will be good enough to say to-day that he intends to appoint the Committee at once. I know that he said on the last occasion that he is waiting to consult the House of Lords. The last Committee of the kind was a Joint Committee of both Houses. We can, if we choose, determine the contract at the end of the present Session, and I would therefore ask the right hon. Gentleman to appoint the Committee at

once, so that we may have their Report in a reasonable time.

(4.41.) MR. JAMES ROWLANDS (Finsbury, E.): If there is a desire to obtain more time for the disposal of Private Business, there is a very easy way of doing it. Let us meet at eight o'clock instead of nine, and not waste the two hours in the dinner interval. It is not sufficient time for those who go away, while for those who remain in the precincts of the House it is entirely wasted. I regret that we are again asked to give up our privileges with regard to Private Members' sittings. There is one question upon which we desire to take the opinion of the House, and that is with regard to International Arbitration. If it came on there would be no chance of a count out on that particular evening. I would now like to call the attention of the House to the fact that the decision of Justice Denman, has entirely altered the interpretation which has been put upon the Metropolis Local Management Act. The President of the Local Government Board has stated that there is at the present time great difficulty in getting vestrymen to attend to their duties, because they do not know whether they would be subjected to an action, through the agency of a private informer, under that decision. I am informed that the crisis is so serious that the Vestry of St. Pancras are going to take a test case to the Courts, in order to ascertain the real position of vestrymen under the Metropolis Local Management Act. I understand that nothing can be done to meet the difficulty under the Bill dealing with District Councils, which we were led to believe was to be introduced on an early day this Session. The question is such a vital one that when the vestry elections take place in May, it is doubtful whether you will be able to get the necessary number of vestrymen. The right hon. Gentleman opposite is laughing.—

MR. JAMES LOWTHER (Kent, Thanet): I was not laughing. I rise to a point of order. I wish to ask whether the hon. Member is in order in going into details on the Bill in question?

MR. DEPUTY SPEAKER: The hon. Member would not be in order if he went into such details.

MR. JAMES ROWLANDS: I do not desire to enter into the details of it, but this is a very important matter, as will be proved when the Vestry elections come on in May. I will only further say, that I hope the First Lord of the Treasury will give some answer to the question put to him by the hon. Member for Peterborough.

*(4.47.) MR. JUSTIN MCCARTHY (Londonderry): It seems clear to me that nothing in the way of serious or substantial work is going to be done in this moribund and hopeless Session of Parliament. I do not suppose that either the Members of the Government, or private Members, will be able to carry anything which is worth having during the remainder of this Session. Therefore how the time of the House is to be frittered and wasted away is a matter of comparatively little importance. The Government seem to me to have made up their minds to pass, if they can, a certain number of small Bills which they think are still within their power to pass, and which they probably consider that in common decency they ought to pass. They appear to be in the position of a man who knows he must plunge into bankruptcy very soon, with very heavy responsibilities upon him, and who wishes, before the crash comes, to pay off the household bills—to settle with the butcher and the tailor, and the housemaid and the cook. If that be the position of the Government, I wish they would be a little more candid, and take the House into their confidence and tell us frankly what they intend to do. If they say, "We know we are going into bankruptcy, we cannot meet our heavy engagements, but we wish to get rid of some small responsibilities before the crash come," I am sure the House will endeavour to assist them out of their difficulty. Let them tell us plainly whether they have done with the serious work of this Parliament, and give us an idea of the date on which they are going into political bankruptcy, and then I am sure we shall be inclined to give them all the help in our power to settle the more trivial affairs.

(4.50.) MR. W. E. GLADSTONE (Edinburgh, Midlothian): I think it will be admitted by the Members of Her Majesty's Government themselves that the position with respect to the conduct

of business is a very peculiar position. The setting aside of primary subjects for the sake of taking up a series of secondary subjects in the middle of a Parliamentary Session, whether in an old or young Parliament, is a proceeding perhaps without precedent—at any rate very unusual; and this unusual character of proceeding undoubtedly casts an air of mystery over the question: What are the motives and intentions of the Government? I doubt very much whether it is for the interest of the Government to take proceedings which cause that idea of mystery to prevail. The subjects which I imagine a very large portion of the House look to as the most important appear to me—I will not say studiously, but at any rate to a very great extent and in a remarkable manner—to have been kept back. So far as this side of the House is concerned—and I do not know that hon. Gentlemen on the other side of the House are likely to differ—there are three matters with regard to which we desire to know the intentions of the Government, and to which we think every available hour of our time ought to be applied. The first question is that of Supply, which, with regard even to the great subjects of Army and Navy, is unusually backward. With regard to the Miscellaneous Estimates, Government is usually anxious to avail itself of any advantage it can reap from a careful husbanding of what may be called odds and ends of time; and unquestionably it has been the fixed use of Governments, so far as my knowledge goes, when the House meets on Friday at the usual hour, to take advantage of the possibility, which has not infrequently become a reality, that the Motions of private Members may be disposed of, and disappear at an early period, and consequently what is called effective Supply has been put on the Paper. But we met to-day at three o'clock as usual, and Supply did not appear on the Paper, so that if the Motions of private Members had by accident disappeared, the remainder of the evening would have been wasted. There is a universal desire on the part of the House to get forward with the Small Holdings Bill. We do not regard that Bill as a satisfactory measure, but we have had an opportunity of giving our views and of stating those essential particulars in which we think it is want-

ing; and recognising it as a good measure up to the point to which it goes, and having failed to introduce into it a full expression of what we think necessary, we, notwithstanding, perform an elementary duty in assisting the right hon. Gentleman, so far as opportunity is given us, in putting forward that Bill. But the right hon. Gentleman the President of the Board of Agriculture must feel with us—he must in his inward heart be on our side—with respect to the appeal we are now making, in endeavouring to move the stony heart and disposition of the Leader of the House in order to secure some prospect of advancement for this measure. The measure is in no danger of obstruction whatever, unless it be in some secret manner organised by Her Majesty's Government. Now, I must say that I hardly feel that the gravity and magnitude of the question of the Irish Local Government Bill has been weighed by Her Majesty's Government. It is quite true that the right hon. Gentleman the Leader of the House has promised us that he will move the Second Reading of that Bill when the Committee stage of the Small Holdings Bill is concluded, and to that proposition we take no objection whatever in itself but this—that if the Local Government Bill for Ireland is in this manner attached and chained to the Small Holdings Bill for England, every postponement of the one is a postponement of the other; and as the art of delaying an obnoxious measure by an astute postponement of some measure which precedes it is well understood in this House, the right hon. Gentleman must see that this exposes him to suspicion as to the reality of his intentions with regard to the Local Government Bill for Ireland. We have had again and again the most solemn promises from Her Majesty's Government, and from a large portion of their supporters, with regard to that Bill, and it appertains to the honour of Parliament to see that they are redeemed. It is not simply because Irish Local Government is a very important matter in itself, but it is also, in the view of the majority of the Members of this House, and of Her Majesty's Ministers, a proper substitute for Home Rule. Nobody on that side of the House has said that the Government of Ireland ought to remain

as it is. The language held has been, "We are as anxious to deal with the question as you are, but we think your manner bad and we think our way good;" and that more excellent way of dealing with it is that unfolded in the Irish Local Government Bill. Hon. and right hon. Gentlemen opposite may be able to prove, by superhuman powers of argument, that they are right. I will not enter upon that at the present moment, but I do say that it is a question in regard to which the Government should shield themselves from the imputation of indirect dealing, and seek the earliest moment of placing us in possession of their intentions with regard to it, by pushing forward the Small Holdings Bill, which not only has the highest claims on its own account, but derives an additional claim from its relation to the Irish Local Government Bill. But it seems that we are not to take that Bill, on the ground that a Scottish measure is to be proceeded with on Monday night, with respect to which my right hon. Friend (Mr. Campbell-Bannerman), who, though differing from Her Majesty's Government, does on this occasion speak the opinion of the majority of the Scottish Members, has said that the information is not ready to enable the House to enter into a discussion; so that we are ordered—I will not say forced—into a discussion with respect to which those principally concerned declare that the information is not ripe. In order to enter into this discussion for which we are not prepared, we are forbidden to enter into a discussion for which we are prepared, and which we all desire to enter into. I hope that some impression has been made on the flinty feelings which the right hon. Gentleman the First Lord of the Treasury has developed, by the appeals which have been addressed to him, and that he will endeavour to dissipate that cloud of mystery which is hanging over the proceedings of the Government. In view of the coming Dissolution, we feel naturally interested to have all the information that can be given us, and I trust that the right hon. Gentleman will be able to make a frank declaration as to the intentions of the Government, and so place us in the position of understanding, in some degree, what is to be the course of affairs during the year, and how soon

Parliament, which can now only do a very limited amount of work, is to apply some portion of the time which is left to it in a useful manner by advancing these great measures and by meeting the engagements to which the right hon. Gentleman and Her Majesty's Government are pledged.

MR. A. J. BALFOUR: The criticisms upon this side of the House and the other side fall naturally into two classes. With the first of these I shall deal very briefly. It consists of a general criticism of the method in which we have conducted our business. The hon. Member for the Rushcliffe Division of Nottinghamshire (Mr. John Ellis) has attacked the Government, and has said that business is in a deplorably backward condition, and that this deplorable state of things is due entirely to the want of method and vigour of those who have the conduct of the business of this House. I differ from the premisses of the hon. Gentleman, and I differ from his conclusions. I do not think that business is specially backward this Session, considering the time at which we began our labours in February, and especially considering the amount of time which has been, so to speak, exceptionally and unexpectedly employed on questions of Privilege and Private business. I think several most important measures—measures not the less important because they have not aroused, or, at all events, need not arouse, great Party feeling—have been well advanced; and I do not see that there is any ground for thinking this Session may not turn out to be peculiarly fruitful in useful legislation. In regard to the hon. Member's criticism upon our method of conducting business, I can only say, so far as the method is concerned, that a Government can do little more than put down important work for such days as they have at their disposal. This they have done. And with regard to the vigour with which they ought to press their proceedings, the vigour which the hon. Gentleman says has been deplorably absent from our conduct of affairs, I do not know what he can mean except the absence of a free use of the Closure. If I have erred in not having used the Closure oftener I apologize, especially to the hon. Member for the Rushcliffe Division (Mr. John Ellis). How

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I could have stimulated the debate, the completion of debate, by any means in my power to render discussion more compressed, I really do not know. I pass from that to the various criticisms or observations and appeals which have been made to me with regard to the future of business, and will deal with, what I may call without disrespect, the least important before I proceed to deal with those which chiefly occupy the minds of the right hon. Gentlemen, the Member for Derby (Sir W. Harcourt), and the Member for Midlothian (Mr. W. E. Gladstone). The hon. Member for Shoreditch (Mr. Cremer) has made an appeal on the subject of a resolution in regard to arbitration. He seems to think it is an extremely important and pressing matter. That the matter is an important one, I do not deny; but that it is pressing—that is to say that Her Majesty's Government are showing by their conduct of foreign affairs that they are neglecting the use of arbitration where it can with advantage be used—I should have thought an obvious and notorious fact might have convinced him to the contrary.

MR. CREMER: Will the right hon. Gentleman permit me to say there is nothing in the Motion of which I have given notice nor anything that I have said which can lead to such a conclusion as that which the right hon. Gentleman has just drawn?

MR. A. J. BALFOUR: My point is that if the Government have shown, as I think they have shown, a most earnest desire to use arbitration whenever that method is applicable, it does prove that the Motion of the hon. Member is not of an extraordinarily pressing character. I do not put it higher than that. Then the hon. Member for Finsbury (Mr. James Rowlands) asked me a question as to District Councils. The question of District Councils is an important one of itself, and that it may have special importance with reference to London and the constitution of vestries in London I do not deny upon the argument he put forward on the subject. But I am afraid it will not be possible for us to introduce, with any hope of passing, the measure which the hon. Member himself must know would be a long, complicated, and controversial measure. And even

the brief Debate we have had is sufficient to show it is not necessary to increase the number of complicated and controversial measures which we have already in hand. Then the right hon. Gentleman the Member for Midlothian, as well as other hon. Members, discussed the question of Supply. I believe we have given, up to the present day, about as many days to Supply as has been usual. I am sure we have not given an exceptionally small number of days. If the progress during those days has not been sufficiently rapid to meet the views of hon. Gentlemen opposite, I do not think the Government are to blame. Probably the hon. Member for Peterborough (Mr. Morton), who raised this question, is quite qualified to give an opinion on the cause of the delay. Then the question of the Scotch Equivalent Grant, the Business for next Monday, has been alluded to by the right hon. Member for Midlothian, and has been pressed on my attention by the right hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman). I regret that hon. Members do not feel themselves fully equipped for the discussion of the details of this Bill. But I must remind the House that it has been before the House since the beginning of the Session, and the Second Reading took place considerably before Easter. If this Bill is to become law at all—and I understand the right hon. Gentleman desires that it should—it is extremely desirable that we should not lose any further time in taking its next stage. I have now dealt with all the minor questions, and before coming to the question of the Small Holdings Bill, and the question of the Irish Local Government Bill, I need only notice the appeals which have been made to me to make exceptions in favour of particular Resolutions which attract great interest either in the House generally, or in the breasts of the hon. Members who have charge of them. Two appeals of this nature have been made to me—one by the hon. Member for Roxburghshire (Mr. A. Elliot) and the other by the Member for Antrim (Mr. Macartney). The hon. Member for Roxburgh appealed to me on behalf of the Resolution for the Disestablishment of the Scotch Church. That so important a question as Disestablishment in Scotland can be thoroughly

thrashed out in three hours is wholly absurd. It cannot be done; but nevertheless three hours' debate is not without its use. Probably on the whole, in spite of the inconvenience of endeavouring to compress these great controversies into debates of three hours, the House will choose to do that, and thus be left free to discuss twice as many subjects in preference to giving a full night's discussion once a week, and only getting through half the number of subjects. There is a balance of convenience and inconvenience on both sides, and on the whole I think the decision the Government have come to commends itself to the great majority of the House. Then there is the question of the Motion for next Friday, and the hon. Member for Antrim has appealed to us to give a full evening's debate to the Resolution of the hon. Member for Armagh (Mr. Blane). He says that such a Debate will clear away a good deal of misconception. That entirely depends upon who speaks. I do not conceive that as to the Party for whom the hon. Member for Armagh has the right to speak, there is much doubt in the public mind as to what their attitude is with regard to this Resolution. I do not even think there is any doubt in the public mind as to the attitude of the other section of Irish Nationalist hon. Members who differ from the hon. Member for Armagh. I believe their views are also well known, and I am sure they would not in this House, or elsewhere, express different opinions on this subject to those which commend themselves to the hon. Member for Armagh. I take it there is no doubt as to what the opinions of hon. Members on this side of the House are. My hon. Friend the Member for Antrim says he desires to speak on this question, but I am sure my hon. Friend does not think there are any doubts or ambiguities in his own position which require to be cleared up by speech; and, therefore, the misconceptions of which he speaks do not attach to his own opinions or to the opinions of those who act with him. Then I take it there is no doubt as to what the opinions of Gentlemen upon this Bench are. Indeed, I do not think it will be necessary for us to occupy a single moment of the time allotted to the hon. Member for Armagh for the

discussion of his Amendment. If there is misconception, we are reduced by this process of exhaustion to the misconception which attaches to Gentlemen on that (the Opposition Front) Bench. I agree with my hon. Friend (Mr. Macartney) that it would be most convenient to the public interest, and in the interests of that General Election which the right hon. Member for Midlothian has just now alluded to, that any misconception which may exist with regard to the opinions of so important a section of the House should be cleared up. But that can only be cleared up if they speak, and possibly it may not be cleared up even if they do speak, and I wish to put this before my hon. Friend the Member for Antrim. What security have we that if we give six hours to this Debate, instead of three hours, that hon. Members will either make more speeches or clearer speeches than will be in their power to make during the three hours allotted? It is not in the power of the Government either to compel them to speak, or to compel them to speak in unambiguous terms. If they wish to speak, the opportunity will be given them during the three hours; and if they desire to speak I can see that no power of compulsion which resides in any part of the House will oblige hon. Members to make quite clear their opinions upon this interesting and important subject. Under these circumstances, I think my hon. Friend will see that I am compelled to come to the conclusion that while it would require a great sacrifice of Government time to give a full evening's debate for next Friday, there are no certain or even probable grounds for supposing that a full night's discussion would have the effect which he somewhat innocently anticipates. I now turn to the most important criticisms which have been passed upon the Government—criticisms most important in themselves, and coming from a quarter which specially deserves consideration. The right hon. Member for Midlothian seems to think that the course of business proposed by the Government is one of so mysterious a character that it hides, or may be supposed to hide, some dark Machiavellian design, and he implores us in our own interest to make clear what our position is. I have no difficulty in making that

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clear. It seems to me that the ambiguities, if he will allow me to say so with respect, are the creations, to a certain extent, of his own imagination. Where we differ from the right hon. Gentleman is, in simply beginning the Small Holdings Bill one week later than he desires. That is the whole difference between us. Nobody wished us to take it in the week after we met, and there was no desire to take it before the House rose for the Easter holidays. I do not see what contingency can arise which will put it beyond Monday week. Therefore, a week's difference in commencing the discussion on the Small Holdings Bill is absolutely the only foundation upon which this enormous superstructure of criticism and suspicion has been raised by the hon. Member opposite. Now, what is lost in the hon. Members' view by that? They seem to think that putting off the Small Holdings Bill for a week will in some mysterious way endanger the future progress of the Irish Local Government Bill. I have two observations to make upon that. The right hon. Member for Derby (Sir W. Harcourt) told us that in his estimate it would only take us four Sittings to complete the discussion in Committee on the Small Holdings Bill. Therefore if we begin it, not next Monday, but Monday week, we should embark on the discussion of the Second Reading of the Irish Local Government Bill on Monday, 16th May. Is that putting off the Local Government Bill to some dim and distant future? At the latest that brings us to the central part of the Session when the House is peculiarly well attended, and when all those who desire will be able to express their opinions and to take part in the Debate. So much for the injury done to the Irish Local Government Bill. Let me say before I leave that subject that this interest in the Irish Local Government Bill from gentlemen opposite fills me with surprise. The right hon. Gentleman the Member for Midlothian, putting into our mouths language which I, at all events, have not been responsible for, tells us that the Local Government Bill is our alternative for Home Rule—not the Home Rule which he proposed in 1886, but which he is going to propose some day. I can assure him that is not the view we

take of the subject. We think that as we have reformed Local Government in England and in Scotland so we shall reform Local Government in Ireland. But this is in no sense a substitute or alternative for a Home Rule scheme. That this is to be considered on the same level, that it is to be regarded as at all a measure of an analogous kind is a doctrine I must absolutely refuse to accept. That is not all. This measure of Local Government, which hon. Members are so extremely anxious we should discuss, is one which all their leaders opposite have announced their intention of obstructing by every means in their power. I do not understand their new attitude. When I introduced the Bill they got up one after another—the right hon. Member for Newcastle (Mr. John Morley), the right hon. Member for Derby (Sir W. Harcourt), the hon. Member for Derry (Mr. Justin McCarthy), every leader of every section of the House rose, and did not content themselves with a denouncement of the measure, but said the measure was so bad that they would leave no stone unturned to prevent it becoming law. Therefore, when they press the Government to bring it on, it is evidently their object to wreck the Session. They have expressed their policy of obstruction openly; they believe themselves to have the power of so resisting the Bill that they will be able to prolong its discussion to such a degree that the Bill will have to be dropped. Under these circumstances, they are practically asking us to extend and to waste—because they will stop the Bill—the rest of the Session upon an effort to pass this measure—an effort which they intend to make abortive. That is an attitude which is not very consistent in itself; and if there are dark and Machiavellian designs behind any statement of policy made in this House, it is behind the statement of hon. Members opposite, and not behind ours, that those dark schemes are to be detected. The real object which we have in view in attempting to go on in the course of next week with the concluding part of the Committee upon the Indian Councils Bill, the Criminal Law Evidence Bill, the Scotch Equivalent Grant Bill, and other smaller measures which I hope may pass without controversy, is, that we may take the Agricultural Small

Holdings Bill *de die in diem*, that we may then have the Second Reading of the Irish Local Government Bill, and that during the interval which must elapse between the Second Reading and Committee stage we may take another stage of those less controversial and less important, but still useful, measures to which I have alluded. This is a very plain statement of a very plain policy. The idea that the Small Holdings Bill is less likely to become law because it begins on Monday, the 9th May, instead of Monday, the 2nd May; that is because it begins a week later than hon. Members desire, is obviously absurd. The Bill, I trust, is perfectly safe, and I trust also the other measures I have mentioned are perfectly safe. I can assure hon. Members that not only do I desire to bring to discussion the Irish Local Government Bill, but that I am looking forward with the keenest interest and enjoyment to the Debate we shall have on that subject. If they think we shrink from that discussion, they are entirely mistaken. There is no deeper design in the very plain programme which I have ventured to lay before the House other than I have stated. I hope, therefore, that whatever may be the shortcomings of the Government in the past, or their duplicity with regard to the future, that at all events the Resolution before the House is one which should be passed, and that the House will, without any further serious debate, proceed to take a Division upon it.

MR. MORTON: May I ask the right hon. Member if he will answer the question I have mentioned respecting the Ordnance Vote, and the other as to the appointment of a Committee to consider the reporting of the Parliamentary Debates?

MR. A. J. BALFOUR: As to the Ordnance Vote, I am afraid that I cannot give any definite information on the point. With regard to the Committee, the hon. Member will be aware that, in answer to a question put to me by the hon. Member for Northampton (Mr. Labouchere), I stated that I would appoint a Committee in conformity with the pledge I gave on that subject some time ago; but that if the Committee was to be a Joint Committee, I could not make any definite

statement until I had had an opportunity of consultation.

MR. CREMER: There is another point which the right hon. Gentleman has forgotten to answer—that is, as to the period the Resolution is to remain in force?

MR. A. J. BALFOUR: Judging from past experience, if there is any new apportionment between Government time and the time of Members, that apportionment is more likely to be against private Members than the present one; but I cannot tell the hon. Member, until I see how Business progresses, whether any further alteration will be made.

DR. CLARK (Caithness): I wish to ask if the Government will adopt a slight Amendment at the end of their Motion in order that we may have a discussion when we meet at nine o'clock? Very often there are not 40 Members present, and it happens that before a Motion can be submitted someone calls the attention of the Speaker to the fact. I should like the First Lord of the Treasury to consider the desirability of adding these words—

“And this House shall not be liable to be counted out on the evening of such Tuesdays and Fridays before 9.15 p.m.”

I move this, in order that we may have a quarter of an hour's grace before we can be counted out.

Amendment proposed,

At the end of the Question, to add the words, “And this House shall not be liable to be counted out on the evening of such Tuesdays and Fridays before 9.15 p.m.”—(Dr. Clark.)

Question proposed, “That those words be there inserted.”

MR. A. J. BALFOUR: I am sure that no body of gentlemen would regard the acceptance of this Amendment with more heartfelt dismay than private Members themselves. Therefore, I cannot accept it in their interests. I do not think that you would gain anything by an extra quarter of an hour. If Members will not come down at nine o'clock, it is hardly likely they will come down at a quarter past.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Resolved, That, unless the House otherwise order, the House do meet at Two of the clock on Tuesday and Friday; and that the provisions of Standing Order 56 be extended to the Morning Sitting on those days.

Mr. A. J. Balfour

ORDERS OF THE DAY

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, “That Mr. Deputy Speaker do now leave the Chair.”

CONTROL OF DOMESTIC AFFAIRS (ENGLAND, IRELAND, SCOTLAND, AND WALES).

RESOLUTION.

(5.32.) DR. CLARK (Caithness): I beg to move as an Amendment—

To leave out, from the word “That,” to the end of the Question, in order to add the words “in the opinion of this House, in order to increase the efficiency of the Imperial Parliament to deal with Imperial affairs, and in order to give speedier and fuller effect to the desires and wants of the respective nationalities constituting the United Kingdom, it is desirable to devolve upon Legislative Assemblies in Ireland, Scotland, Wales, and England, respectively, the management and control of their domestic affairs.”

Sir, last year when I moved the same Resolution as I now propose, I brought before the House a number of facts and figures to show the congestion of Public Business and the utter impossibility of the Imperial Parliament being able to carry out the work it should do. I do not intend to bring again before the House those facts and figures except to say this: that of the many measures then referred to affecting Scotland that could not be considered for lack of time they all stand now in the same position as they did last year. As an instance, I may point out that we are just as far off having legislation on the principle of the Bill of my hon. Friend the Member for North Aberdeen (Mr. Hunter) as we were nine years ago when it was first introduced. My hon. Friend the Member for Linlithgow (Mr. McLagan) has not been able to bring his measure affecting the liquor traffic before the House, and there is every reason to suppose that another Parliament will have passed away before the Scotch Members will have an opportunity of having that important measure affecting Scotland considered by the House—a measure which the majority of the Scotch Members are in favour of. Last year I was told that we were not suffering from the disease of congestion of business, as I

pointed out, but that what we were suffering from was the disease of obstruction, and that since the Home Rule movement began there had been an attempt made to obstruct the business in this House and prevent Parliament from doing its work. Sir, let us look at the facts. It was in 1871 that Mr. Isaac Butt was elected a Member of this House, and the agitation for Home Rule, from a Parliamentary point of view, began. Now, I hold that facts prove that before the Home Rule agitation began there was the same congestion of business, and the same inability to carry out what the Government and private Members desired. And I will read one or two extracts from a speech made by the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) in 1871, at a time previous to the election of Mr. Butt and the existence of the Home Rule Party in this House. Mr. Gladstone was receiving the freedom of the City of Aberdeen, and in a speech which he made in reply to the honour conferred upon him, he used the following words about the then condition of affairs. He said—

“I admit, without the least hesitation, that the present condition of the action of Parliament with regard to Scotch business is unsatisfactory. You have much reason to complain or at least to regret, and I have deep reason, as have my colleagues, to regret, that we have not been able to deal with several subjects interesting to the feelings of Scotland, and material to its welfare, with the promptitude that we should all have desired.”

So that before Mr. Butt appeared in this House and began the Home Rule agitation, the then Prime Minister admitted that there was congestion, and that he regretted it. But what did he say in explanation of that condition of things? He said—

“The difficulty is a very great one. Parliament is overtaxed, it performs a great deal more work, and has probably at all times—most certainly for the last 40 years—performed a great deal more work than any other Legislative Assembly in the world. . . . The amount of demand upon Parliament, the province marked out by public opinion for legislation, is greatly enlarged, and that which was, even when my life began, quite sufficient for the strength of the House of Commons, has now grown to such a height and mass that that strength is insufficient to meet it. Parliament is now expected to regulate the relations of life between different classes, and to pro-

vide for public want and against public evils of a description that were formerly believed to lie altogether beyond its competence and its power. Legislation upon health, legislation upon atmosphere, legislation upon water, legislation upon drainage, legislation upon labour in all its relations—these are topics which in a few words contain the key to a vast mass of work waiting to be done, and which it has not been found possible to overtake.”

I think that disposes of the argument that it is the obstruction of Irish Home Rule that has brought about the congestion of business. What has happened since the speech of the right hon. Gentleman makes, I think, his arguments much more powerful. Since then there has been a greater development of science, more growth of commerce, and greater progress of democracy, which have increased the work of this House. Since the Reform era, since the death of Palmerston, it has been impossible for this House to do its work. The result is that we have been muzzled, and have been giving up bit by bit all our rights. We have had a splendid specimen of that to-day with the Government proposal for practically taking away all our time except three hours twice a week, and five and a half hours on Wednesdays. Important questions are coming up for discussion, but there is no time to spare upon them. The result is that the House must scamp its work. And, Sir, I think the House must look at this question from the Imperial standpoint. We have given Home Rule to our Colonies, and I have very much sympathy with the views and wishes of a number of Gentlemen opposite who desire to bring the Colonies and the Mother Country closer together by other ties than those binding us now. But it will be impossible to have co-representation in this House while you discuss for days main drains for Belfast, bridges in Glasgow, and questions of that sort. As far as the great self-governing Colonies are concerned, we have given them Home Rule, and we cannot hinder them as far as local affairs are concerned; but in Imperial affairs they feel they are neglected, and they complain sometimes that they are betrayed, and that for the purposes of the Mother Country their interests are sacrificed. We have no time to consider them as we are situated at present, and other questions of im-

portance have to be neglected. For instance, there is Pahang, where war is taking place, a country under our suzerainty, but whether the Rajah is an enemy or a friend we do not know. Servants of English companies are being murdered there, but we have no time to discuss the matter. Then there is the difficulty in Uganda in connection with one of the Chartered Companies. But we have no time to consider matters of that kind. I have put down in my Amendment Ireland first instead of England, and I see that that mode of arrangement has caused some little surprise. Well, I think we want to devolve the control of affairs upon Representative Assemblies in Ireland because the Irish people desire it. If the English people were in the same frame of mind as the Irish upon this question I should have suggested that England should come first; but England is only beginning to look at this question, whereas Ireland has demanded and requires it. So with regard to Scotland; Scotland is demanding it, and after a Dissolution, and Parliament meets again, there will be a larger number of Members in proportion from Scotland for Home Rule than you have now from Ireland for Home Rule for Ireland. As to Wales and England, I know the right hon. Gentleman the Member for Midlothian lives in Wales a good deal, and I remember when this question came up long ago he used these words:—

“If doctrines of Home Rule are to be established in Ireland, I protest on your behalf that you will be just as well entitled to it in Scotland; and, moreover, I protest on behalf of Wales, in which I live a good deal—and where there are 800,000 people who, to this day, such is their sentiment of nationality—speak hardly anything except their own Celtic tongue—a larger number than speak the Celtic tongue, I apprehend, in Scotland, and a much larger number than speak it, I apprehend, in Ireland. I protest on behalf of Wales that it will be entitled to Home Rule also.

I find nearly all the Members from Wales during the present Parliament agree with the right hon. Gentleman, and upon these grounds demand Home Rule; and I hope that when he comes back to power he will consider the claims on behalf of Wales which he has suggested. What I want to discuss is the kind of Home Rule we are going to have. When we go to the country a majority will come back in favour of Home Rule, and the

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question is: What is the kind of Home Rule we are going to have? We had a Bill brought in by the right hon. Gentleman the Member for Midlothian in 1886 which provided for a dualistic form of Home Rule. I hope we shall not have that proposed again. The right hon. Gentleman wanted Home Rule for Ireland very much on the same lines as it exists in Austro-Hungary and Sweden and Norway. Now, I personally am very much opposed to any Home Rule of that kind, and in voting for the Second Reading of that Bill I voted for the principle of Home Rule; and if the Second Reading had been passed, I should have attempted in Committee to have entirely changed the character of the Bill. There is another form of Home Rule. I refer to that which obtains in Switzerland, where there are three races speaking three different languages—French, German, and Italian—and where there exist different religious faiths with keen feeling in reference to them. There you have a form of Home Rule which has been successful. The same thing occurs in America, under different conditions, and it has lately been adopted in Germany. If we have a Home Rule Bill on the same lines we may be able to settle this Home Rule question in a manner that will be permanent, and, at the same time, add to the stability of the Empire. I do not think there is any agitation for a dualistic type of Home Rule in Ireland. Daniel O'Connell at one time sought to bring about the Repeal of the Union, but before he died he gave up his aim for Repeal, and Repealers are now as much a thing of the past as Fenians are. I might read to the House the view expressed by O'Connell when he gave up Repeal, prior to throwing in his lot with the Federalists, as they existed in Ireland then. It is contained in a letter addressed to John G. Porter, the secretary of the Federal Home Rulers. He says—

“The Federalists appear to me to require more for Ireland than the simple Repealers, for, besides the local Parliament in Ireland having full and perfect local authority, the Federalists require that there should be for questions of Imperial concern, Colonial, Military and Naval Policy, and of Foreign Alliances, a Congressional or Federative Parliament, in which Ireland should have her fair share and proportion of representation and power. It is but right and just to confess that in this respect the Federalists would

give Ireland more weight and importance in Imperial concerns than she could acquire by means of the plan of the simple Repealers. For my own part, I will own that since I have come to contemplate the specific differences, such as they are, between simple Repeal and Federalism, I do at present feel a preference for the Federation plan, as tending more to the benefit of Ireland and to the maintenance of the connection with England than the mode of simple Repeal."

Now, since the time of O'Connell—apart from Stephens and the Irish Republican Brotherhood, who were not Constitutionalists—there has been no Constitutional statesman in favour of simple Repeal. Eighteen years ago the first Motion in favour of Home Rule for Ireland was discussed in this House, and on that occasion Mr. Butt said he did not go in for Repeal, but that he wanted every one of the Irish Members to remain in the Imperial Parliament for Imperial purposes. He only asked that there should be a Legislative Assembly in Ireland for the purpose of controlling local and national matters. This nation has been built up as much by the Irish as by ourselves, and they have as much right to claim their share in deciding Imperial matters as we have. The late Member for Cork, although he said some strong things, was never in favour of simple Repeal; but he got £10,000 to carry on his agitation on Federal lines. Now, Sir, what do I propose by my Motion? Why, simply that the House do not repeal any Union, but that it should create subordinate Legislatures, with full powers of control over all local and domestic and national affairs, and that the Imperial Parliament shall remain as at present. What I should also propose is that the House should take the present constituencies as they are in Ireland and in Scotland, and also in England and Wales for local purposes, and that the Imperial Parliament should be constituted not of 670 Members, but that every two seats should be linked together for Imperial purposes, and that you should separate in England, Ireland, Scotland, and Wales local from Imperial matters. Only in that way can the Imperial Parliament do its work. But there have been other suggestions. We had a Bill before the House giving a Convocation of Scotch Members the right to meet in Edinburgh and consider and discuss all Scotch matters. Well, I

should have been very glad to see that Bill passed; but the only difficulty that presents itself to me is that we should not be able to have a Dissolution on purely Scotch matters, such, for instance, as the question of Disestablishment of the Church of Scotland. I do not know how we are going to solve that question very well, except on the lines of Home Rule. When the English and the Scotch Parliaments were united, it was laid down as a fundamental principle of the Union that the Church should be maintained. The Scotch Church is in quite a different position from the English Church which was thrust upon Ireland, because the Church in Scotland is the Established Church of the people of Scotland, and nine-tenths of the people of Scotland belong to it. But I do not say that because our forefathers determined that a certain thing should be a fundamental principle that we should be bound by it. At the same time, I say it is impertinence in English candidates to raise the question of Scotch Disestablishment. I deny the right of the English people to determine this question at all, and I say that it can only be determined by the Scotch people and by the Scotch Members when it comes before them in a Constitutional way. The best way—the only legal way—to change any of the conditions which our forefathers made a fundamental principle of the Union is to constitute either a Commission of the whole of the Scotch Members or a constituent Assembly of the Scottish people for the purpose of determining these questions. I am in favour of Disestablishment, but I do not think it should be rushed through, and I will object to it until the people of Scotland have had the question placed before them and have given their decision in reference to it. I am not going to raise the question of what you should give to Ireland. I do not speak for Ireland. But what you give to Ireland we shall claim for Scotland, and anything less we will not have. The hon. Member for Renfrew (Mr. Shaw-Stewart) has an Amendment on the Paper which sets forth that to require the attendance of Irish, Scottish, Welsh, and English Representatives in local Legislatures would tend to diminish or destroy their proper influence and control over Imperial legislation. I wonder if my hon. Friend since he

became a County Councillor has had his influence destroyed for the House of Commons. If these local assemblies met at the same time as Parliament, it would, of course, be ridiculous and absurd to expect Members to be in two places at once. I cannot see what he means by this Amendment, unless he really misconceives what we want. We want to separate local from Imperial measures. I look on Federalism as having been the greatest possible success. We are not asking for something that has never been tried. It has been tried for over 500 years in Switzerland, and has been a success; it has been a success in America for a century, and it has been a success in Canada, though there may have been local corruption. Wherever Federalism has been tried, it has been a success. We must make some change; and if we adopt Federalism, I believe it will be as successful here as it has been in other countries, and we shall be able to solve local and Imperial problems on lines which will tend to strengthen and develop the Empire rather than to weaken it.

*(6.5.) MR. LENG (Dundee): I rise to second the Motion proposed by the hon. Member for Caithness (Dr. Clark), and I do so because the pressure of Imperial business and the innumerable details of local affairs render progress with Scottish legislation so very slow and unsatisfactory. We are so accustomed in this House to much talk and little practical work that I think we do not sufficiently estimate the waste of time that actually occurs, and the number of years spent in the discussion of Bills, without leading to any practical result. I do not know that I can bring this more clearly to the House than by referring to the last list of Public Bills for the Session, 1890-1. It begins with the Access to Mountains (Scotland) Bill, and the record is Second Reading—dropped. Then comes the Acquisition of Land by Local Authorities—Second Reading—dropped; Child Life Insurance Registration (Scotland)—withdrawn; Building Feus and Leases (Scotland) Bill—Second Reading—dropped; Building Land Scotland—Second Reading—dropped; and County Councils Purchase of Land—Second Reading—dropped. Then I come across one brilliant exception, the Crofters' (Scotland) Grazing Bill, the record

opposite which is—Royal Assent. I might go on page by page with a succession of Bills dropped or withdrawn, but the general fact is that there were 40 Bills introduced last Session relating to Scotland, and of these 32 were dropped or withdrawn, one was thrown out on the Second Reading, and only seven out of the forty received the Royal Assent. It might be said by those who have not examined the figures that the proportion of Bills carried was as good for Scotland as for other parts of the United Kingdom, but it is not so. There were, altogether, 229 Bills introduced last Session, of which seventy were passed, nearly equal to one in three, whereas of the Scotch Bills just over one in six was passed, so that, in the scale of proportion, only one-half the number of measures was passed for Scotland that were passed for the other parts of the country. I have no wish to detract in any way from the importance of the Bills that were carried, but I can say with accuracy that there were other Bills with which no progress was made of still greater importance. This Session we have thus far had 36 Bills introduced; five of them have got to the Committee Stage; and one—introduced by the Member for St. Rollox—has passed, but the others have not yet reached the Second Reading stage; two have been withdrawn, and one has been practically set aside by being counted out. Not a few of these may be spoken of as hardy annuals, for they come up year after year without making any advance in the way of legislation. Under the present conditions, what chance is there of the majority of these Bills ever passing? Before they can pass, many whose hair is now perfectly black will be grey, many whose hair is now abundant will be bald, and some of us will be dead and gone out of this House. Every Bill has its merits or demerits, and if its merits exceed its demerits it ought to be passed, and if its demerits exceed its merits it ought to be extinguished. But this system of continually dangling in the air measures which have no chance of passing is a system of false pretences. We ought to make the system a reality, and adopt some method by which, if Bills are desirable, they should go on the Statute Book, and, if not, there should be an end of them. As a Representative of a

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Scotch constituency, I say that the Scotch people have a right to complain of the present state of things. If the Scotch Members constituted a Legislature of themselves all these questions could be rapidly disposed of, and we should avoid the coming up year after year of the same measures. But if it is thought that there should be some check on Scottish legislation, that could be easily accomplished by giving to the Secretary for Scotland the power of vetoing Bills which he thought infringed the limit with regard to national and local measures. I came into this House as a Home Ruler, and I hope as a sensible Home Ruler, and I regard Home Rule as giving to each division of the Kingdom control of its own strictly local affairs. I am not one of those who think that while Home Rule would be good as physis for Ireland it would be poison for Wales and Scotland, for what I would claim for Scotland I would willingly give to any other part of the United Kingdom. I would give to each division of the country the control of affairs that are left to the State Legislatures of the United States, or to the Legislative Assemblies of each province of the Dominion of Canada. It has been said that it would surpass the wit of man to discriminate between what are Imperial and what are local or national affairs, and when the right hon. Gentleman the Member for Midlothian makes a remark of that kind Gentlemen on the other side of the House do not fail to note it, but without quoting many other things he has said in favour of Home Rule. I would reserve to the Imperial Parliament all those Imperial questions which are reserved to the Federal Congress of the United States. With respect to Ireland I would give to every Irishman at home the same political privileges he would enjoy if he settled in one of the cities of the United States, and that, I believe, would put an end to that strong and continued agitation on the other side of the Atlantic on behalf of Home Rule for Irishmen at home. But again it is asserted that it would be a mischievous thing to sever the control of the Imperial Parliament over any part of the United Kingdom, and it is also said that it would be a grander thing to be a citizen of the United Kingdom than of one part of it only.

All that we propose is that we in Scotland should cease to interfere in the local and strictly national affairs of England and Ireland and Wales, and that, on the other hand, you should cease to interfere in the local and national affairs of Scotland. So far as Imperial affairs are concerned, every man in every division of the United Kingdom would remain as much interested in them as he was before. The fact that a man is a citizen of the State of Illinois, or California, does not diminish his interest in the affairs of the great American Union. When I was in America I found wherever I went that each citizen of each State was anxious to produce the most favourable impression with regard to his own State, and to crack up and magnify it, and was proud of its achievements and growth in all matters; but while he did that he was still prouder of and spoke with greater warmth and intensity of feeling with regard to the great Union of which his own State was a component part. And you will tranquillise the great mass of the people in each division of the United Kingdom if you give them more perfect control of the management of their own affairs; and though they will be attached to, and proud of, the division of the Kingdom to which they belong, that feeling will develop itself into still greater loyalty to the United Kingdom. If this tended to division or separation, I would not say one word in its favour; but I do not believe that it does, and I can quote the case of Canada in support of the idea. The Dominion was organised by a Conservative Government, for it was the late Lord Beaconsfield and the late Lord Derby who, in 1867, passed the measure which united the Provinces of Canada into one Dominion. They solved the difficulty of discriminating between Federal and Provincial affairs, and the same thing can be done with regard to our own country. I am satisfied that if Party prejudices were dismissed and the matter were looked at fairly with regard to the interests of the country alone, and if the use of phrases intended to distract attention from the real merits of the question ceased to be used, and we looked at the matter practically not only with reference to what has been done in Switzerland, but what has occurred in our own Colonies and in

the great American Union, then we should cease to be alarmed at the bogie of Separation. We should consider Home Rule merely a true and legitimate development of the principle of Local Government giving to each large division of the Kingdom a more perfect control over its own local affairs. That, I have contended before, would not alienate any section of the population from another; but under wise safeguards, which I am certain do not pass the wit of man to devise, it would make us, instead of being a separate, a more united, a more loyal, and a more prosperous people than we are now; and for these reasons I cordially second the Motion which has been submitted to the House.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, in order to increase the efficiency of the Imperial Parliament to deal with Imperial affairs, and in order to give speedier and fuller effect to the desires and wants of the respective nationalities constituting the United Kingdom, it is desirable to devolve upon Legislative Assemblies in Ireland, Scotland, Wales, and England, respectively, the management and control of their domestic affairs,"—(*Dr. Clark*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

* (6.26.) MR. SHAW-STEWART (Renfrew, E.): It seems to me, Mr. Deputy Speaker, that both the Mover and Seconder of this Resolution have each their own plan of Home Rule; but they speak under the disadvantage of not having any well-considered general plan that they can advocate, and I think it is also a matter on which they should receive condolence that their words have fallen on deaf ears, so far, at all events, as the almost empty condition of the Opposition Front Bench shows the very little interest taken in this question by their Leaders. The hon. Member for Caithness. (*Dr. Clark*) asked us to look at this matter from an Imperial standpoint, and that is what I wish the House to do. I put an Amendment on the Paper, but by the Rules of the House I cannot move it, but there is, I believe, no reason why I should not refer to it. It is in these words—To leave out all after "House," and insert—

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"To require the attendance of Irish, Scottish, Welsh, and English Representatives in Local Legislative Assemblies would tend to diminish or destroy their proper influence and control over Imperial legislation."

The hon. Member for Caithness says he does not understand why his proposal should diminish the control of the various Representatives over Imperial questions. I should have thought this was one of the most obvious complications which would arise if his proposal became law. If you send down to the various centres of nationality the popularly-elected Representatives, you must take away a certain amount of their time which is now devoted to the discussion and supervision of Imperial questions. If they are to sit in the various centres of the United Kingdom for three months, it is obvious that you diminish by that amount the time at their disposal for sitting as an Imperial Parliament; and unless you intend to largely increase the time for which Members sit at present you reduce their control of Imperial questions from six or seven months in the year, as it is now, to three months, or even less. I contend that we cannot in these days afford to compress the time which is allotted to us for the discussion of Imperial questions. If anything, we ought to amplify the time for the discussion of Imperial questions rather than shorten it. I have pointed out that the Motion proposes to take away part of the time—when we should be sitting in Scotland—which Scotch Members could devote to Imperial affairs, and I am sure the hon. Member would be the last person to say that Scotland is not pre-eminently concerned in colonial and foreign affairs. There is not a British colony or dependency where Scotchmen are not doing good work, not only for themselves and for their adopted country, but indirectly for Scotland also. The time of the Imperial Parliament for dealing with these affairs would be limited to about three months in the year; and though the English Parliament might during the other part of the year be sitting at Westminster, no question could be asked in it about colonial or foreign affairs; in fact, it would be an injustice to Scotland, Ireland, and Wales, if such questions could be asked while the representatives of those countries were elsewhere. Foreign questions continually arise in

this country, and doubtless many of them are quietly disposed of by a strong Foreign Minister; but if the time should come when we should have a weak or incompetent Minister, while the nationalities were discussing local affairs, he could be involving the country in complications which, if Parliament were sitting, the representatives of the people might have had a hand in checking. Even when a strong Minister is in power there are at times difficult questions on which he is glad to be backed up by the strong feeling of the British people concentrated in their Representatives in Parliament. The Imperial Parliament also is not merely for legislative purposes; it ought to have control over the different Departments of War, the Navy, Finance, and the Home Office; and if you diminish the time during which the Members are to attend the Imperial Parliament, you diminish their control and influence over these Departments. The time may come when we can afford to spend less time in anxious deliberation over foreign and colonial affairs. The time may come when we shall have less to do with the different parts of the world and exert less influence, but that will only be when, by a series of disintegrating measures, we have lost our hold on our Colonies, perhaps on India, and on those ports and dependencies which are scattered all over the world. Then we may indulge in the luxury of breaking the Kingdom up into sections by setting up Parliaments to discuss local affairs, and then we in Scotland shall not quarrel whether we shall meet at Glasgow or Edinburgh, for in those days we may well hide our diminished heads in the wilds of Caithness. We are told that Parliament is over-weighted, but since the speech of the right hon. Member for Midlothian quoted by the hon. Member was delivered, we have had County Councils set up throughout Scotland which deal with local affairs; and it is understood on all sides that they will be considerably strengthened and have further powers given to them. There is also the possibility, if hon. Gentlemen opposite would allow of its discussion, of framing a measure for relieving Parliament by a system of Private Bill procedure. But, considering the time at the disposal of Parliament, I do not think it is impossible to deal with the questions that arise.

If the small number of hon. Gentlemen who speak oftenest and longest were to exercise a little self-control, and do a little violence to their vanity, it would be to the advantage of the House. As a Scotchman and a Scotch Member, I not only object to the proposal of the hon. Member, but I resent it as depriving Scotland of a considerable amount of her power and opportunity of discussing and controlling Imperial affairs, and I condemn it as a proposal that would have a destructive and disintegrating effect on the constitution and character of the United Kingdom, with the strength, prosperity, and happiness of which the future of my country is inextricably bound up.

(6.40.) MR. R. T. REID (Dumfries, &c.): Although it is true that this Motion has not enlisted the sympathies of a large number of Members, or of hon. and right hon. Gentlemen on the Front Opposition Bench, it is a question which will attract a considerable amount of attention in future, and one which must be dealt with before we can expect to properly transact Public Business in Parliament. If the hon. Gentleman (Mr. Shaw-Stewart) has put forward all the arguments of the Scotch Unionists against Home Rule for Scotland, I think we may fairly expect that in a short time he will join our ranks. He has raised four objections: The first is, that the Mover and Seconder have not agreed as to the form of Home Rule they desire. I am not sure that they have not agreed, but the proposal does not profess to formulate the form of Home Rule. There are several ways in which it can be dealt with, and it would be unreasonable towards the gentlemen who may be in office in a short time to commit ourselves now to one or other form, and so foreclose the decision of the Members of the next Parliament as to the particular measure of Home Rule they may think fit to adopt. The principle is a matter on which we can all agree or dissent. The hon. Gentleman said that the Members who sit here cannot conveniently sit in Scotland to discuss local matters, because they might be wanted in two places at once.

MR. SHAW-STEWART: I said if you require the attendance of Scotch Members in Scotland at a certain time in

the year they would not have that time at their disposal for the consideration of Imperial questions.

MR. R. T. REID: That is what I understood the hon. Gentleman to say. But the Motion does not require that the same individuals should represent Scotland in the Imperial and in the Scottish Parliament. That is wholly a matter of detail, and there is no necessity in law or convenience that they should be the same persons. The hon. Gentleman said that Scotland was interested in colonial affairs, and that no Scotch Member would consent to deprive her of a full share in their management. But nobody proposes that because domestic affairs in Scotland are to be disposed of by Scotchmen, we are, therefore, to be deprived of what we claim as a right—an equal voice with other parts of the country in dealing with Imperial matters. The hon. Gentleman suggested that things might go wrong while we were discussing local matters if we had a weak Foreign Minister, but he must remember that for more than half the year, as things now are, the Minister has the opportunity of leading us into infinite trouble and difficulty if he is so unwise as not to avoid it. If that is the array of argument to be placed before our somewhat hard-headed countrymen in discussing this question, I am not surprised that there is a considerable increase of feeling in favour of this movement in many parts of Scotland. Speaking for myself and my constituents, I wish to say that it is obvious that in this matter Ireland must come first, as she put forward the first claim. The effects of this government have been very serious in Ireland; we in Scotland have not suffered more misfortunes than England. There is great bitterness in Ireland, the result probably of historical causes, which prevents Ireland regarding England with the same loyalty and goodwill which is universal all over Scotland with respect to the Southern Kingdom. Therefore, as far as Scotland is concerned, there is no trace of bitterness or national resentment so far as regards Home Rule. We have nothing to look back on in history which we cannot contemplate with complacency. But Scotland has a great grievance peculiar to herself. For many years the practice of the House was not to over-ride Scotch opinion in regard to Scotch measures. The prac-

tice dates certainly from the last century and was continued down to 1886, when the present Government unfortunately broke the continuity of the practice. Since 1886 we have been repeatedly outvoted, notoriously in the instance of a Bill dealing with the questions of lighting, roads, police, and other purely Scotch questions. We were outvoted by English Members in twelve Divisions in a manner calculated to be most offensive to Scotch feeling. We were outvoted by Members who did not hear a word of our arguments, who stayed systematically out of the House during our speeches, and who treated our protests and arguments with contempt. We warned the Government in all good faith that the necessary result of that would be to raise a strong feeling in Scotland for the management of Scotch affairs by Scotchmen in Scotland. Our views have proved to be absolutely true. I ask the hon. Gentleman if he approves of his countrymen being outvoted in this House on Scotch questions by English Members?

MR. SHAW-STEWART: It all depends on the question.

MR. R. T. REID: The Scotch Members have no chance of holding their own on Scotch affairs. What would the feelings of the English Members be if the Church of England were disestablished by a Scotch vote? That is what is being constantly done by English Tory Members with regard to the views of Scotch Members who are as loyal and orderly as themselves, and it is a matter which is deserving of the consideration of Parliament. There is another grievance we share in common with the rest of the United Kingdom, and that is the congestion of business in this House. It seems to be a formal and elementary proposition of Government of whatever form—whether Despotic, Republican, or Constitutional Monarchy—that there should be some authority which can deal promptly with grievances as they arise. That was once the case with this Parliament, but no one can now reasonably pretend that we have in this House machinery which is capable of dealing with the wants of the country with reasonable promptitude. Take, for example, the measure for cheapening the transfer of land in England. All sections of the House agree that that is a Bill which ought to be passed, and, though

Mr. Shaw-Stewart

it was agitated for forty years ago, it cannot be dealt with, because the other business prevents the possibility of the House dealing with it. Then, if there is one question which the Scotch people care more about than any other it is the liquor question. The hon. Member opposite places his name at the back of the Bill, introduced by the hon. Member for Linlithgow (Mr. M'Lagan) in 1884, and read a second time, but the hon. Member has been unable since then to get even a discussion on the Bill. It is a question on which every single burgh in Scotland, and every county, I believe, would go for the Bill; and I do not think even the hon. Member for Renfrew (Mr. Shaw-Stewart) would stand for his constituency if he pronounced against the Bill. What have we done to alter this state of things? During the last four or five years we have amended our procedure; we have introduced the Closure and Grand Committees, and the time of private Members has been ruthlessly taken away. There were protests at first, but they have all ceased, for we all know that it is necessary that the Government should have the time, and yet we are no better off than we were before. The hon. Gentleman intimated that the present state of things was the result of obstruction, but I do not think that in his cooler moments he will say that there has been serious obstruction this Session. It is not the necessity for reform, or unwillingness to carry it on, which has caused the arrears of work, but the utter incapacity of Parliament to discharge its duties. This state of things has produced serious results inside the House. I am not surprised to hear that many Members are not going to seek re-election, and that it is becoming more difficult every day to get suitable candidates to take part in the business of Parliament. Energetic men, such as we desire to see in the House, are prepared to see their views overruled, but they are not prepared to spend the whole of their time without an opportunity of these questions being disposed of, and to waste their best energies in forwarding measures which they feel almost certain will never have an opportunity of becoming law. There is a growing apathy also in the constituencies; they feel that there is not the machinery for getting

through the work, and Parliament will lose that confidence which centuries of good work have earned for it. Thoughtful men will not deny that something is needed for the reform of procedure in the House. I wish to ask the hon. Gentleman what is the meaning of the remedy to which he refers. Does Local Government mean County Government, or the Government of Town Councils? Why, the hon. Gentleman must know very well that nobody proposes to give them legislative powers at all. How then will they relieve the congestion of legislation in this House? The hon. Member referred to another proposal—namely, that the procedure in reference to Private Bills should be simplified in the method proposed by the Government. Though I differ from many of my hon. Friends on this side, and am rather sympathetic to the proposal of the Government as to procedure on Private Bills; yet, that proposal, if carried out, would not remedy the congested condition of business. Is there anything to be hoped from the legitimate use of Grand Committees? I do not think there is. Only one stage out of five will be got rid of by sending a Bill to a Grand Committee, and we have tried Grand Committees. I do not at all deny that they have done some good; but although they have done some good, they have not been effective for the purpose of preventing that great arrear of business which is now almost choking this House. I say there is only one other remedy that can be considered, and that is the distribution of business—call it devolution if you like—to some other Assembly than this. I think most lawyers will agree with me that you cannot destroy, if you wished to do so, the Imperial supremacy of this Parliament. I am strongly in favour of maintaining that supremacy, and I am not aware, so far as I know, that anybody wishes to destroy it. But, as I have said, you cannot destroy it, even if you wished, according to Constitutional Law. That being so, how do you propose that the business should be distributed to other Assemblies? It seems to me to be absolutely necessary so to distribute it; and in no other way than according to the natural line of cleavage that exists in this country. You have in Ireland and in Scotland—I say nothing in reference to

Wales for the moment, I do not see many Welsh Members present—but with regard to Ireland and to Scotland in their relation to England you have this: they have different laws administered by different Judges, they have widely different histories, they have different religions, they have different customs, and, especially with regard to Ireland, they have different races, for, of course, it is well-known that the great bulk of the people of Scotland are Anglo-Saxons, and belong exactly to the same race as the Northern inhabitants of England. But, however, there are racial differences, and racial differences of a very pronounced character. Now, I beg to say that in my opinion those differences show a line of cleavage by which alone any devolution of Public Business can be effected. Nobody wishes that I am aware of in any way to interfere either with the Sovereignty of this Parliament, or with the full presence of Scotchmen and Irishmen in this House, to take part with Englishmen in the administration of all that concerns the common good. But what we feel in Scotland—those whom I represent, and I feel it myself as strongly as any of them—is this: In the first place that we cannot get our business sufficiently done as things are; and, in the second place, that if we had the opportunity we are not only able but willing heartily to transact our own business in a reasonable, conciliatory, and temperate spirit towards all sections of opinion in Scotland. We are also prepared, in addition, to take our full and equal share with Englishmen and Irishmen in the administration and conduct of business common to the United Kingdom.

*(77.) MR. ATHERLEY-JONES (Durham, N.W.): I cannot help thinking that those of us who favour the establishment of Home Rule in Ireland would be likely to be opposed to it if we could see that the necessary corollary of the establishment of Home Rule in Ireland was to be the establishment of three domestic Parliaments, with three domestic Prime Ministers and three domestic Lord Chancellors, and so forth in the Kingdom, for Scotland, for England, and for the Principality of Wales. I do not however regard the Motion of my hon. Friend as pointing in that direction. I gather that his Motion is a declaration, perhaps couched in somewhat infelicitous

language, that it is desirable that there should be a devolution of the functions of Parliament in respect of certain domestic matters upon certain bodies constituted *ad hoc* in Scotland, England, Ireland, and Wales. I must say I could not follow the speech, in sympathy at any rate, of my hon. and learned Friend who last spoke, in his somewhat gloomy jeremiad over the condition of Scotland. My hon. and learned Friend adverted to the great want of time which was suffered by Scotland for the transaction of its own domestic business. Now, I am bound to say that with the single exception of the question connected with a very debatable subject—that of the liquor traffic—he did not advance one single instance of a Scotch measure ripe for legislative treatment which has been neglected by the Imperial Parliament.

MR. R. T. REID: I beg my hon. Friend's pardon—I only quoted one instance; but my hon. Friend was not in the House when a long list was given to the House by the hon. Member for Dundee.

*MR. ATHERLEY-JONES: My hon. and learned Friend is inaccurate. I was not in my seat, but I have learned from an hon. Friend what took place, and I say that no question ripe for legislative treatment of capital importance has ever been neglected by this Imperial Parliament. But I admit that undoubtedly there is a very considerable arrear of urgent and pressing business relating to all parts of the United Kingdom. I admit that there are many measures, especially as regards social reform, to which the people of this country look for legislative treatment; but the hon. and learned Member and those who have spoken upon this question must remember that we have been passing through a singularly abnormal period in the history of this country, that the time of this House has been almost monopolised by the great Irish question, and I altogether deny the main premiss of my hon. and learned Friend that the House of Commons is a mere legislative machine. My hon. and learned Friend said there was not time for passing measures, and referred to the great waste of time in talk. What I contend is this, that primarily—or at any rate it is hardly of secondary importance—the function of this House is to debate serious questions

Mr. R. T. Reid

and so bring them into a condition ripe for legislative treatment. Has my hon. and learned Friend considered what the establishment of a local Parliament in Scotland means? Does he consider that it means a Parliament with an Executive responsible to the Crown, does he consider that it means a Parliament which will have its *alter ego* in this Parliament and that it will undoubtedly make this Parliament a battle-ground for continual exactions, for continual fresh concessions? Undoubtedly the whole of the integrity, continuity, and symmetry of the domestic policy which is pursued by this country, would be utterly and entirely destroyed. I should like to ask my hon. and learned Friend, and those who think with him, what would become of this Parliament when domestic Parliaments had been established in the three Kingdoms and the Principality of Wales for the purpose of dealing with all those domestic questions which pertain to Home Government? What I conceive would be left to this Parliament would be a wrangling for further concessions to those various countries, and a mischievous and unnecessary interference with the affairs of our Colonies and with foreign affairs. I am bound to say that I do not look with anything but dismay to the idea of establishing four effective Parliaments in the United Kingdom with four effective Executives, depending upon the Sovereign of this country. I think the proposition only requires to be stated in order to show its absurdity. On the other hand I well recognise the desirability of the devolution of Business.

MR. R. T. REID: How?

*MR. ATHERLEY-JONES: Well, I think the suggestion made by the late Mr. Bright was a very excellent suggestion, and that is the creation of Grand Committees for Scotland and for Wales. I altogether sever and differentiate the case of Ireland from that of Scotland and Wales.

MR. R. T. REID: Why not Ireland?

*MR. ATHERLEY-JONES: Let my hon. and learned Friend show that there is any strong desire on the part of the people of Scotland or the people of Wales for a local Parliament. Why, this very Debate comes off to-night only by the most strenuous and factitious exertions of hon. Members, and already we are threatened with

extinction. My hon. and learned Friend says why not for Ireland? Because Ireland has had a history altogether different from the history of Scotland or of Wales in relation to this country. I am not going to discuss the question of Home Rule in Ireland. Theoretically the question may be open to very grave and perhaps doubtful arguments. But I am dealing with the question as a question of practical politics, and I say that there is no doubt that as a matter of practical politics, if my hon. and learned Friend can prove to demonstration such a volume of public opinion extending over such a long series of years, in spite of every effort, both conciliatory and anti-conciliatory, on the part of the Government of England for the concession of a local Parliament, then I say he might have made out a case worthy of the consideration of this House. It is for this reason that I support the Motion of my hon. Friend. I support it in the sense in which I understand it to be, not a declaration in favour of the establishment of separate Parliaments, but a declaration in favour of the devolution of peculiarly Scotch business to Committees and bodies appointed for dealing effectively with those matters which at present are so much neglected.

(7.20.) COLONEL NOLAN (Galway, N.): I am glad that the hon. Gentleman who has just sat down has concluded as he has done, and that he is going to vote for the Motion of the hon. Member for Caithness. I also, in voting for this Motion, share the views of the hon. Member for Durham, and claim the same amount of liberty. I intend to vote for it as I read it, or rather, perhaps I should say, as I choose to read it. I am very glad that this question has been raised. At any rate, for one thing it has elicited the expression from the Scotch Members that they also desire Home Rule, and I am very glad of that expression upon their part, because I think it will strengthen the Irish demand. I am glad also that the hon. Member for Caithness said that he thought the minimum amount of Home Rule that should be given, either to Ireland or any other part of the United Kingdom, was that expressed in the Motion on the Paper before the House, that is the Motion of my hon. Friend the Member for South Armagh. So that in many respects I consider this Motion a satisfactory one, as ventilating an important question.

However, I may fairly say, having some experience of the history of Home Rule in this House, and possibly out of this House, that it must be allowed on all hands that the demand from Scotland has not been up to the present as strong and as urgent as it has been from Ireland; but there is also no doubt that the demand for some sort of Home Rule—not necessarily the same as in Ireland but some sort of Home Rule—in Scotland is a growing one. I have no right to speak from what I know of the Scotch people; but certainly from what I know of the Scotch Members—having been for 20 years in the House—I must say that every year a larger and larger number of Scotch Members seem to be anxious that some sort of Home Rule should be established for Scotland. So far as Ireland is concerned, I must, to a slight degree, differ from the hon. Member for Caithness. He seems to think that Ireland is especially enamoured of the Federal principle. I have no right to put myself forward as the exponent of the opinion of the whole of Ireland; but I give my own opinion and the opinion of my constituents in the West of Ireland. They do not reject repeal of the Union. They would be very glad to have repeal of the Union; but, of course, if they had repeal of the Union, their position would be extremely anomalous—they could not then have a Regent and could not have an Executive. The Irish people accepted the Bill of 1886 as an honest solution of the question, though not all that they wished or desired, but as an honest, fair solution of the question. The Federal system, as pointed out by the hon. Member for Caithness, is an excellent one. He gave an excellent example of it in relation to New York and the rest of the United States. We should be very glad to take the position Canada has in regard to the United Kingdom. That, perhaps, is asking far too much, or at least more than we are likely to get; but without being particularly in love with the Federal system, I think it is a good one, and I think any one who desires Home Rule can very properly and fairly vote for this Resolution. The hon. Member for Caithness has done one thing in framing his Motion; he has put Ireland first. As he fairly said, Ireland has brought this question to the

Colonel Nolan

front, has worked for it for a long time, and four-fifths of the Irish Members have repeatedly voted for something in that direction. The hon. Member for Dumfries shared the views of the hon. Member for Caithness. He said that the case of Ireland ought to come even before that of Scotland and for the same reason, that Ireland had made many sacrifices and had worked strenuously for the last 18 years. I think the Scotch Members have brought forward this question in a perfectly fair and legitimate way, and I think they ought to receive all support from the Irish Home Rule Members. The English Members are apt to make light of this question of Home Rule, and to say that this question is of no importance; but the explanation is a very simple one. The English people have got Home Rule at present. The English Members are about two to one of all the other Members put together, and they could carry any question they liked through the House. There was only one dread I had with respect to this Resolution, and that has been, I must say, completely removed by the speeches of the hon. Member for Caithness and the hon. Member for Dumfries. I was afraid that it might possibly be taken as a pretext to put off Home Rule in the next Parliament, and that a Party might spring up and say, "Let us elaborate a complete Federal system before we give Home Rule to Ireland." That would be very dangerous, for it has already taken 18 years to bring the Irish question to the front, and to thoroughly thresh out and ventilate the question.

(7.30.) MR. MARK J. STEWART (Kirkcudbright): My hon. Friend the Member for the Dumfries Burghs has made the congestion of Scotch business the *gravamen* of his complaint. He has said that there are many Bills like the Liquor Veto (Scotland) Bill and the Land Transfer Bill which have been before the House for many years, and for which no time could be found for discussion. If the question of Home Rule for Ireland had not been started and carried on in the way in which it has been by hon. Gentlemen opposite, there would have been ample time for the discussion of these and other interesting Scotch measures; but so long as hon. Members choose to indulge in hobbies that can never be realised, so long will

they prevent real business being done. The system of devolution is undoubtedly a valuable help. The Grand Committees on the Public Health Act, the Bankruptcy Bill, and other measures have saved endless hours of discussion in the House, and good legislation has been the result. As far as local business is concerned, I have always thought that the present Government have done more than any preceding Government. They have brought in and passed measures of Local Government for England and Scotland, and it is therefore absurd to say that nothing is being done, and that nothing has been done in this direction. The congestion of business comes through many Members on both sides of the House not wishing Bills to be carried. Although the House does not pass a great amount of Scotch legislation, when any Scotch question comes up for discussion, and it is felt that it ought to be dealt with, the Government in power are bound to take it up, and this is to a large extent now done. Many questions are decided in this House, which, though they cannot be called exclusively Scotch questions, have a strong bearing on Scotland; and, on the whole, I consider that Scotch business is well attended to. That is, indeed, the opinion of the Scotch people, who would not care to have a Parliament in Scotland. They would sooner send to London a man who had time to attend to questions of an Imperial character than send him to Edinburgh to attend to local matters, and it would be extremely difficult to get gentlemen of leisure to attend a provincial Parliament held in Edinburgh and the Imperial Parliament held in London. If, on the other hand, they paid their Members, what would the ratepayers say? For these and other reasons I need not go into, I am satisfied that there is no real feeling on this question in Scotland, and that the agitation for Home Rule is propagated and maintained by agitators. The empty Benches to-night, especially the Front Opposition Bench, which is deserted by all save the Member for Berwickshire (Mr. Marjoribanks), proves that no real interest is taken in the question.

(7.40.) MR. BARTON (Armagh, Mid): I desire that there shall be no mistake or misunderstanding as to the attitude which the Ulster Members take up on this question. We are opposed to any

interference with the legislative authority of the House, and we object to this Resolution because it is undoubtedly intended to enlarge the demand for Home Rule. I was astonished to hear hon. Members say that Ireland was more entitled in this matter to separate treatment than Scotland. For hundreds of years Scotland had a separate King, a separate Army, and a separate Navy, as well as the power of sending her own Ambassadors to other Courts. But nothing of the kind has ever occurred in Ireland. Almost from first to last the history of Ireland has been one of feuds and factions, and the only continuity Ireland has received has been from the Union. There is, however, one part of Ireland which has had a continuous history, and which, if racial and historical differences are considered, would be entitled to separate treatment—a part of Ireland which will have to be counted with if this question of Federalism is taken up—and that part is Ulster. This Debate, however, can hardly be regarded as serious, except that everything Scotch is serious to some extent.

(7.44.) MR. THOMAS ELLIS (Merionethshire): I desire to strongly support this Motion, because the number of social, industrial, and political questions which have arisen has produced a congestion of business in this House which can only be increased in future years. The late Mr. Parnell took as keen a measure as any man of the possibilities and capacities of the House, and he said that it was impossible for it to do the work of four Assemblies. The Motion we are now considering indicates a step which must be taken in a few years. The arguments used about Scotland are equally applicable to the case of Wales. The vast majority of the Representatives of Wales are constantly being voted down, and their actually unanimous voice is repeatedly being overwhelmed by the voices of Members for other parts of the Kingdom. It is for these reasons that I support the Motion of my hon. Friend, and I hope to be able to follow him into the Division Lobby.

*(7.46.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): I do not think it will be necessary for me to trouble the House at any length. As the hon. Member for Mid Armagh said,

it is really difficult to treat this Motion quite seriously, looking at the condition of the House. It is evident, from the small number of Members present, that no great demand exists for Home Rule in Scotland, Ireland, or Wales, and it is impossible for me to come to the conclusion that the statements in the Resolution can at all be borne out. The thinness of the House shows that the interest in the matter is extremely small in three of the nationalities. Last year the hon. Member for Caithness brought forward a Resolution in almost the same terms, and the result was that not 40 faithful Members could be found to assist in carrying the Debate to a conclusion. So it was on Tuesday night last, when a Bill was before the House dealing with the same question; again not 40 faithful Members would support the hon. Member in charge of the Bill to bring the Debate to a conclusion.

MR. R. T. REID: There are only 40 Scotch Liberal Members.

*MR. RITCHIE: Yes; but there are the Irish Members, and surely that remark comes with a bad grace from a Member of the Party which attaches most importance to this question, as it affects Ireland, and says Ireland must come first. Judging from the fact that there is not a single Member from Ireland on the opposite Benches; that there are very few from Scotland, and only two from Wales, I think there is pretty good evidence of the fact that a demand for Home Rule does not find expression in this House. It will be admitted that a proposal of such a vast and drastic character is only warranted by two things—the existence of grievances which cannot otherwise be remedied, or the existence of a demand so general as to render it necessary that it should be considered. Even if we were to admit the justice of every single complaint that has been made by hon. Members opposite, no unprejudiced person would say that anything like a case has been made out for trying an experiment so dangerous as that proposed. What do the complaints amount to? The hon. Member for Dundee cited names from a list of Bills, and said—

“The Access to Mountains Bill has not been passed; that is a reason why we should have a separate Parliament.”

He named other Bills of trivial importance, and said that the failure to make progress with them was an argument for

Mr. Ritchie

the creation of five Parliaments. No doubt there has been delay in Scotch business, as in other business, so far as legislation is concerned, but what has been the reason? The hon. Member for Dundee frankly stated that the reason of it was that if there were a Parliament for Scotland the Scotch Bills would be passed in a short space of time; but I could not help thinking what a terrible thing it would be for Scotland if the result contemplated were realised. The House of Commons does not exist simply for the purpose of legislation; it exists largely for the ventilation of grievances and debates upon topics that are ripe for discussion. It must not be supposed that because a Bill is not passed, discussion upon it is wasted, or the object of its promoters is not advanced. So it is with regard to Motions—a cause may be advanced by a Debate which appears to come to nothing. Many measures have been passed unanimously which at one time it was difficult to get a small majority to support. Never was so great a change as this proposed upon such small and trivial grounds. The hon. Member for Dundee said that very wisely no details have been given of the plan proposed in the Resolution. No doubt it was wise from the Mover's point of view, and from the point of view of those who desired to support this abstract proposition; but if ever there was a question which ought to be put before the House in detail, it is this question of separate Parliaments for Scotland, Ireland, and Wales. The practical difficulties of the question are enormous. It would be extremely difficult to get a sufficient number of good men to fulfil the functions of Imperial and National Parliaments, and also of the County Councils which happily exist in England and Scotland, and which we hope will soon exist in Ireland. Then there might be enormous friction between the Imperial and the National Parliaments. You might have an Imperial Parliament of a totally different complexion, politically, from the Parliaments in Ireland, or Wales or Scotland.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. RITCHIE: When the interruption took place I was venturing to point out the inconvenience, to say the least of

it, that would probably arise in cases where the Imperial Parliament and Executive were of different political constitution from the local Parliaments. It would not require much elaboration to show that in cases of that kind there might be much and frequent friction; and especially in the case where a local Parliament was not satisfied with the limited power conferred upon it, every opportunity would be taken to demonstrate to the Imperial Parliament that more power ought to be given to it and further duties imposed upon it. And so with regard to all the various Imperial questions, all the matters connected with the Colonies, Foreign Affairs, Imperial Finance, and Customs and Excise—these would all give opportunities to gentlemen from all parts of the country to ventilate grievances of which they might think they had just cause of complaint. While hon. Members spoke mostly with regard to Scotland, they undoubtedly felt that of all parts of the United Kingdom Ireland was the one to which attention would have to be first directed. And, great as would be the difficulties in connection with any local Parliament, I think hon. Members will admit that the difficulties of the situation would be infinitely greater in relation to Ireland than in regard to any other part of the Kingdom. While it is impossible to night to enter into the many technical points connected with this subject, it is certain, however, that nothing short of the most complete freedom for dealing with the land, with the administration of justice, and with the constabulary will satisfy the demand of the Irish people; and although we have not, up to the present, got any plan from the Leader of the Opposition, and although we all know his original proposal has been dropped, would not be accepted, and is not likely to be revived, yet we do know that he has pledged himself that whatever scheme of Home Rule he brings forward should be a scheme which should receive the acceptance of the majority of the Irish Representatives and of the Irish people. Consequently we know that the concession must be to confer the administration of Ireland on those who have been elected by people the majority of whom possess sentiments certainly not friendly to this country, and that they would have the control of the most loyal and prosperous part of Ireland. I want to

know whether those who propose these things imagine for a moment that the people of Ulster would rest contentedly under a Parliament elected largely under the influence of the Roman Catholic priesthood? ("No, no!") Well, I do not wish to enter upon that question now; but I defy contradiction when I assert that under the late elections which have taken place the Roman Catholic priests have exerted their influence to the utmost, both inside and outside the polling booth, in order to induce people to vote for the candidate they chose. I assert that the people of Ulster would never submit to any Parliament elected under such conditions as those. All I can say is that while we are prepared to consider all reasonable grievances, while prepared to extend the system of Local Government in all three countries—as we have done in Scotland, in England, and as we hope to do in Ireland—and that while prepared, when necessity arises, to increase the powers and responsibilities which have already been given to Local Bodies, we shall, whether in office or out of office, offer the most determined, energetic, and continuous opposition to any such proposal as that before us to-night.

(8.10.) Question put.

The House divided:—Ayes 54; Noes 74.—(Div. List, No. 92.)

Main Question again proposed, "That Mr. Deputy Speaker do now leave the Chair."

Motion, by leave, withdrawn.

SUPPLY.—Committee upon Monday next.

WEIGHTS AND MEASURES (PURCHASE) BILL.—(No. 213.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

(8.15.) DR. TANNER (Cork Co., Mid): I wish to call attention to the recent peculiar attitude of the Government in the Lobby in preventing us entering the House. The Government

Whips were at the door calling upon us not to enter in order to secure a count out. I think this attempt to proceed with Government business is absolutely impudent after they have been defeated in their object. ("Order, order!") To give them an opportunity of defending the attitude they have assumed, I move that you do now report Progress and ask leave to sit again. I have seen many incidents in this House caused by the attitude of Her Majesty's Government; but I never saw more determined impudence than this attempt to do business now after they have only succeeded in defeating the Home Rule movement by 20 votes.

THE CHAIRMAN: Order, order!

DR. TANNER: I always bow to your ruling, Sir; because we are here to do the business of the country. We do not go home and leave others to do the work. We bring these gentlemen up to the mark, and now they try to seize the opportunity and proceed with Public Business in a way which I consider is lowering to the dignity of this House, in a manner which is unworthy on the part of common-sense business men at this period of the 19th century. I have much pleasure in moving that you do now report Progress and ask leave to sit again.

THE CHAIRMAN: The hon. Member has said nothing to convince me that this is anything but an abuse of the Forms of the House.

MR. KNOX (Cavan, W.): I think, while we are on Clause 1, I might move to insert a clause which would make this Bill applicable to other countries. In the first line of Clause 1—

THE CHAIRMAN: Order, order! The Question has been put that the clause stand part of the Bill.

DR. TANNER: I move, then, this clause do not stand part of the Bill. I wish people to take these matters seriously. It is unfair that Members of this House should have been literally turned away by Government officials at the door.

THE CHAIRMAN: The hon. Gentleman must confine himself to the Question before the Committee—that Clause 1 stand part of the Bill.

DR. TANNER: As objecting to the substance of the Bill and on other grounds than those presented by the

Dr. Tanner

Bill, I thought I should have the opportunity of expressing myself. I naturally feel indignant at the attitude the Government have followed, and it is for that reason I object to the measure. I object to the clause, and I shall certainly divide the House upon it. I hope that every hon. Member who is possessed of conscientious principle will support me in this vindication of the rights of the House of Commons.

Motion made, and Question proposed, "That the Clause do not stand part of the Bill."—(*Dr. Tanner.*)

The Committee proceeded to a Division, and the Chairman stated that he thought the Ayes had it, and on his decision being challenged, it appeared to him that the Division was frivolously claimed; and he directed the Noes to stand up in their places, and Nine Members having stood up the Chairman declared the Ayes had it.

Clause 2.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

THE CHAIRMAN then left the Chair. On his return,

DR. TANNER said: There are many points in connection with this Bill which are deserving of attention. I wish, however, to move just one Amendment.

THE CHAIRMAN: Order, order! The Question was put before I left the House.

DR. TANNER: Then am I to understand that I cannot move an Amendment to this clause? I have not had an opportunity—

THE CHAIRMAN: Order, order! The Question is, "That Clause 2 stand part of the Bill."

Motion agreed to.

Clause agreed to.

Clause 3.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

(9.1.) MR. KNOX: In order that equal justice may be done to Ireland I have to move an Amendment. In the town of Cavan and another town which I know, the Town Commissioners had to give their personal security before they

could borrow money for public purposes. That is a burden which ought to be thrown on the town, and I hope the right hon. Gentleman will accept this reasonable Amendment, which will only apply to Ireland the same conditions which now exist in England.

Amendment proposed,

In page 2, line 17, to leave out the words "or Ireland," and add "This Act shall extend to Ireland with the following modifications, that is to say, the council or town commissioners of every corporate town in Ireland shall be the local authority for the purposes of this Act, and shall have the same powers as the council of a county or borough in England under this Act, and for that purpose may borrow money under the 'The Public Health (Ireland) Act, 1878.'"—(*Mr. Knox.*)

Question proposed, "That the words 'or Ireland' stand part of the Clause."

*(9.3.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am sorry I cannot agree to this offhand. If the ordinary law applying to Ireland will permit of the alteration the hon. Member proposes, I shall be perfectly willing to accept the Amendment. If the hon. Gentleman will withdraw his Amendment now I will make inquiries.

(9.5.) MR. KNOX: Will the right hon. Gentleman undertake to apply to Ireland the particular provision which will enable Town Commissioners to borrow under the Public Health (Ireland) Act for the purpose of buying the markets?

*(9.6.) SIR M. HICKS BEACH: That is exactly the point on which I must inquire. I have no objection to their buying the rights, but I cannot say whether I could give them the power to borrow.

(9.7.) MR. KNOX: The power is given to the same authorities in England, and I only propose that equal powers should be given to Ireland. At present the Town Commissioners have not the power, and I have quoted two cases in which the Town Commissioners had to give personal security before they could borrow money which was required for public purposes. That, I contend, is very improper, and if the right hon. Gentleman has followed what I have said he can have no difficulty in finding out what is the ordinary law. But what he has said is so vague that I am afraid it is hard to see how far he would

go. There is a Public Health Act in Ireland and a corporate authority, and why the corporate authority should not be allowed to borrow for the purpose I have named under this Act, as is the case in England, is more than I can understand.

(9.10.) Question put.

The House divided:—Ayes 63; Noes 41.—(Div. List, No. 94.)

Question again proposed, "That the Clause stand part of the Bill."

(9.17.) DR. TANNER: I have another Amendment.

THE CHAIRMAN: Order, order! The Question is that the clause stand part of the Bill.

(9.18.) DR. CLARK: There are objections to the clause passing in its present form, and I should like the President of the Board of Trade to consider whether he cannot allow it to apply to Scotland and Ireland.

SIR M. HICKS BEACH: I will consider before the Report stage whether the Bill can with advantage be extended to Scotland and Ireland.

Question put, and agreed to.

Bill reported, without Amendment; to be read the third time upon Monday next.

SHORT TITLES BILL.—(No. 227.)

COMMITTEE. [*Progress 12th April.*]

Considered in Committee.

(In the Committee.)

Schedule 2.

Amendment proposed, in page 74, after line 9, insert—

The Births, Deaths and Marriages (Scotland) Acts, 1854 to 1860.

17 and 18 Vic., c. 80.

The Registration of Births, Deaths and Marriages (Scotland) Act, 1854.

18 and 19 Vic., c. 29.

The Registration of Births, Deaths and Marriages (Scotland) Act, 1855.

23 and 24 Vic., c. 85.

The Registration of Births, Deaths and Marriages (Scotland) Act, 1860.—(*The Attorney General, Sir R. Webster, Isle of Wight.*)

(9.20.) DR. TANNER: I think we ought to have some explanation of this matter. It is not enough that an Amendment of this kind should be moved by a simple nod of the head.

*SIR R. WEBSTER: Perhaps the hon. Member has forgotten that this second

Schedule was intended merely to give a short title to a certain class of Acts. Instead of using the full titles of seven or eight lines, the Acts can be cited in a few words; but I would remind the hon. Member that if he prefers to use the long titles he may do so.

DR. TANNER: Not being a lawyer, I shall suffer no inconvenience in the matter, and I think it is hardly proper or dignified for one of the first Law Officers of the Crown to indulge in these silly and trivial remarks.

Amendment agreed to.

On Motion of Sir R. WEBSTER, the following Amendments were agreed to:—In page 77, leave out lines 2 to 7; page 89, after line 15, insert—

The Police (Scotland) Acts, 1857 to 1890.

20 and 21 Vic., c. 72.

The Police (Scotland) Act, 1857.

21 and 22 Vic., c. 65.

The Police (Scotland) Act, 1858.

53 and 54 Vic., c. 67.

The Police (Scotland) Act, 1890.

*(9.24.) SIR R. WEBSTER: I beg to move, in page 90, line 40, to leave out "banks," and insert "bank."

DR. TANNER: There are so many of these Bills that it seems impossible that they can all be considered under one short title. That arises from the extraordinary way in which the Bill has been drafted, and there is one part of this particular portion of the Bill with which we are now dealing that does not seem to read correctly.

*SIR R. WEBSTER: The words Post Office Savings Bank, 1874, should read Post Office Savings Bank Act, 1874.

DR. TANNER: I accept the explanation.

Amendment agreed to.

*SIR R. WEBSTER moved to omit the 3rd Schedule.

(9.26.) MR. SAMUEL EVANS (Glamorgan, Mid): It seems to me that the effect of this Schedule is to repeal several Acts of Parliament.

*SIR R. WEBSTER: This Amendment is consequent on the striking out of Clause 2 of the Bill, with the object of making it a permissive measure.

MR. SAMUEL EVANS: I am obliged for the explanation, but I do not see why we should repeal Acts recently passed.

Sir R. Webster

*SIR R. WEBSTER: There are no Acts repealed by this Bill. There was a proposition of that kind, but it has been removed.

MR. SAMUEL EVANS: I am not quite sure that this House would be less usefully occupied if, instead of proposing new legislation, it set itself to repeal old Acts; but it strikes me as a little peculiar that we should repeal Acts which were passed so recently as last Session.

(9.28.) MR. KNOX (Cavan, W.): I think the Act will lose very materially by leaving out the 2nd clause, and I apprehend that it will be possible to amend this on the Report stage.

(9.29.) THE CHAIRMAN: On the Report stage it would be competent for the hon. Member to propose any Amendment he likes of the kind he indicates; but we cannot do now something which would undo what the Committee has already done. The Committee must be consistent.

Schedule agreed to.

Bill reported, with Amendments; as amended, to be considered upon Monday next.

BURGH POLICE AND HEALTH (SCOTLAND) BILL.—(No. 230.)

COMMITTEE. [*Progress, 12th April.*]

Considered in Committee.

(In the Committee.)

Clause 340.

DR. CAMERON (Glasgow, College): These Sanitary Clauses contain the chief point of objection to the Bill, and the arguments against them are very strong. This part of the Bill is objected to by the Association of Medical Officers of Health in Scotland, and since the Bill was last in Committee the Association has sent up a very strong memorial against the clauses, of which I have given notice to move the omission. These officers are chiefly appointed under the Local Government (Scotland) Act, and they are gentlemen of experience; they are required in every case to hold a special diploma, and are forbidden by the terms of their appointment from engaging in private practice. They devote their whole time and energy to the preservation of public health in Scotland, and are recognised by the Government, which in the Local Government Act made pro-

vision for assisting in the payment of their salaries. These officers say they are satisfied that the passing of the Bill in its present form would be in the highest degree detrimental to the public health. Such a strong expression of opinion from gentlemen well qualified to give one, justifies the strenuous opposition on the part of myself and my hon. Friends. I do not blame the Government, who have taken an old Bill and have not taken the trouble to modify it to meet existing circumstances. These Medical Officers say that no better illustration of the injurious effect of these clauses can be found than in the initial clause of Part V. of the Bill, which provides for the compulsory notification of disease. That was, they say, all very well in 1888; but since then an Imperial measure designed for the same purpose—the Infectious Diseases Notification Act—has been passed, and has been adopted by burgh as well as county sanitary districts throughout the country, and the provisions of this Bill are utterly at variance with that Act. They go on to say that the machinery of that Act has been brought into a condition of working smoothly, and that this Bill would upset what has been done, and would establish two systems of notification side by side. Under the Bill jealousies would arise between the medical officers of health and private practitioners, and it would render nugatory the object you have in view, which object would be better carried out by the Act which has been in force for three years. I think this is a convenient time for asking the Government whether they intend to press these Sanitary Clauses or not. They must see that the highest medical opinion in Scotland is against them, and that the only effect of proceeding with the clauses will be to confuse and muddle the law of Scotland to an injurious extent. The Medical Officers of Health appointed under the Local Government Act are men of the highest qualifications, and the small burghs cannot expect, in the great majority of cases, to be able to appoint men of equal qualifications; they will have to appoint a local practitioner, and as he will have to look for the greater part of his income to private practice his utility as a Medical Officer of Health will be almost *nil*. The Association to which I have referred says that the

tendency of modern legislation has been in the direction of recognising the solidarity of questions affecting the public health, but that this Bill proceeds in the direction of dispersion and confusion. The Association has not come to the conclusion to oppose these clauses without great reluctance. One member of it wrote to me to the effect that, after long and earnest endeavour to see if he could not devise some governing clause which would meet the objections of the Association, he was very reluctantly forced to the conclusion that he and the Association must confine themselves to destructive criticism, and not attempt to amend the Bill. What the Association suggests is that you should drop these clauses, and adapt to Scotland the two Public Health Acts passed for England in the last couple of years, which course would accomplish everything that is desired. The Acts would apply to all Scotland, and would save us from the injurious effects of having one kind of Sanitary Law in the burghs, and another in the counties round it. Such a state of confusion would make it impossible to bring about that improved condition of sanitation which is desirable in any civilised country. The highest Sanitary Authority in Scotland is against the clauses; no evidence was taken on them before the Committee; and, whatever was the case years ago, they are inapplicable now. Since these clauses were drafted there has been important legislation on the subject; the Infectious Diseases Notification Act has been passed; there is an organisation for sanitary work in the counties which has made their condition of sanitation one considerably in advance of that in even the large towns. If these clauses be dropped, the Bill, as a Police Bill, will grant all the powers the burghs can reasonably desire, as to police, bye-laws, and so on; and then the question of Sanitary Laws for Scotland, not for the burghs only, but for Scotland as a whole, can be left to be dealt with by some more comprehensive and better-devised measure. I move, Sir, the omission of the clause.

Motion made, and Question proposed, "To leave out the Clause."—(Dr. Cameron.)

(9.43.) MR. ESSLEMONT (Aberdeen, E.): The hon. Member for the

College Division said that I had, on a former occasion, expressed myself as having a poor opinion of the Medical Officers of Health in Scotland. I rise to say I have no recollection of saying that. What I did say, and what I say now, is that, with all respect to the Medical Officers of Health in counties, in passing a Bill like this, the Municipal Authorities cannot safely put themselves in the hands of the Medical Officers of Health of the counties and say that the laws shall be made applicable to them without any respect for the popular wants and experience of the burghs. The hon. Member for the College Division (Dr. Cameron) represents a constituency outside the purview of this Bill, for Glasgow and the large cities came forward and said they were so advanced in municipal law and matters of health that they preferred to work under their own Acts with regard to sanitary matters, and they were accordingly excluded from the purview of the Bill. Does my hon. Friend suppose that the experience of the officers appointed last year in the counties is sufficient to discount all the experience of the Medical Officers of Health who have been appointed in Glasgow, Edinburgh, Dumfries, Aberdeen, and other large towns of over 50,000 inhabitants for the last ten years? I may, I think, claim to have some interest in sanitary affairs. In the town of which I have been Chief Magistrate we had great difficulty in introducing a Medical Officer of Health at all, but public opinion changed, and we have now in all our large cities Medical Officers of Health, men of great experience, to administer the law. These are not the men who have come forward to object to these clauses; but they are the men on whose opinion we passed the clauses in the Committee. There is no objection to my hon. Friend extending the County Sanitary Regulations to the burghs if they are found to be more applicable than these clauses. We who support the Bill say that in sanitation these small burghs are far behind, and these clauses would greatly improve the present state of things; that is also the opinion of the burghs themselves. My hon. Friend proposes to destroy the individual Home Rule of the burghs, and put them under the County Councils, which has very strong objections on the face of it. The Bill has between 500 and 600 clauses;

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and the Government knows, the burghs know, and Scotland knows that if we discuss all these clauses it will be impossible to give the Scotch burghs the benefit of the Act. We appeal to our Friends to make such Amendments as are possible and which the Government will accept, and to pass the rest without discussion; then, when we come to apply the Public Health Act of England to Scotland, there will be no more difficulty than exists now. Taking the Bill as it stands, I think it would be well not to disregard the opinion of Medical Officers of Health who have had some experience in municipal affairs. I can remember my hon. Friend the Member for Caithness pressing this Bill a short time ago, and saying that the Sanitary Clauses were most needed. If these Medical Officers had had the courage of their convictions, instead of saying, "Omit the clauses till we can give you another Bill," they would have sent up the Amendments they desired to see made.

(9.53.) MR. SHIRESS WILL (Montrose, &c.): The majority of the Scotch Members were in favour of this Bill as it stands, until certain Amendments were suggested by the Medical Officers of Health. I appeal to the Government to consider these suggestions, which deserve attention, and can be met by Amendments which can be readily drafted. If the Government desire that the Bill should pass—and there is no question that Scotland desires that it should be passed—it should be referred to a large Committee, and then Amendments, which would meet the reasonable objections which have been pointed out by these officers, could be submitted. If such a course were adopted, the Government would see the Bill pass this Session.

(9.56.) DR. CLARK (Caithness): To put the discussion of these clauses in order I move to report Progress. I think if we had not had these speeches we should have got through about 200 clauses by this time. I have been looking over these Sanitary Clauses, and I think they will all require amendment. In Clause 340 the words,

"Unless it be found on diagnosis that such practitioner was incorrect," will require to be left out, as they will create bad feeling, and the medical man's certificate is sufficient. In the

same sub-section you compel a medical man to send in reports up to seven days, and do not give any fees: I shall propose that no report be required for seven days, so that if you want them you will have to pay for them. The sub-section would make medical men give unnecessary reports without being paid for them. The easiest course would be to treat these clauses as contentious clauses, and it would be found easier in a Bill of a few clauses to incorporate the English Act of 1890 and apply it to Scotland with such alterations as the differences of administration require. I think if that were done, you could get through the other 250 clauses, including the codifying clauses, to-night, and then you could begin on some other occasion with the contentious clauses. By this means you will be able to give the Bill a chance of passing; but if you begin fighting now on the Public Health Clauses, it would take a great deal too much time, and prevent the Bill passing. I have said—and I say so still—that so far as the public health in Scotland is concerned, both in the burghs and the country, I believe there are tens of thousands of cases where disease and death could have been prevented if there had been a proper Public Health Act, and if it had been properly applied. Hence, I desire to see the Public Health Clauses better than they are here, and applied generally, not only to the burghs, but to the counties. In many cases the small burghs will not have a medical officer themselves, and they will get that work done by the county officer; and the county officer will be in the position of having to apply one Act to one portion of the county and another to another; one Act on one side of the street and another on the other. I think the proposal I have made is a very fair one—namely, that the Police Clause, having nothing to do with public health, but more to do with the apprehension of prisoners, should be dropped out of the Bill for the present, and let the Government consider the comments of the Press on the matter. I think in last week's *Lancet* one of the strongest articles I ever read appeared with regard to this Bill. I beg to move that you do now report Progress, in order to obtain some explanation as to the course which the Government propose to take.

Motion made, and Question proposed
“That the Chairman do report Progress, and ask leave to sit again.”—(Dr. Clark.)

(10.3.) MR. A. J. BALFOUR: I greatly regret that the hon. Gentleman who has just sat down and the hon. Member for the College Division of Glasgow should have taken the course which they have taken with regard to this Bill. Undoubtedly, it is in the power of these gentlemen, if they devote their abilities to the task, to wreck the Bill; but if, happily, we should be able to purchase their forbearance by a concession on the declaratory clauses, or on what the hon. Member describes as the contentious part of the Bill, I should be willing to accept or consider the suggestion of the hon. Member. But I hope the two hon. Gentlemen, if we adopt this compromise, will meet us half-way, and that they will not be too strict in their definition of what is a Sanitary Clause and what is a Police Clause, and, at all events, that the Police Clause may be allowed to pass without any prolonged discussion. I do not deny the force of what has fallen from both hon. Gentlemen who represent the opinion of a very large and important body of the people of Scotland—the medical officers of Scotland. I should be the last to depreciate the opinion of these gentlemen; and though I regret that they have come to the decision that nothing short of amendment on a very large scale of the clauses dealing with sanitary matters will content them, yet I think it would be worth while to defer the discussion on the Sanitary Clauses, and to content ourselves with passing into law the clauses as regards what are in the main unobjectionable improvement. But I think it would be impossible for us to-night to arrive at a definite conclusion as to whether a compromise such as has been adumbrated ought or ought not to be accepted. We cannot really decide that question on the floor of the House; and, therefore, I concur with this view: that we should pass the uncontroversial portion of the Bill, and that we should defer to another occasion the discussion of the Sanitary Clauses. But I hope that when the hon. Gentlemen consider what course should be adopted on the subject, they will feel that if it is decided to make this very important concession—if that concession is made—some concession should be made by them with regard

to the discussion on the police portion of the Bill, and that it should be passed without any unduly prolonged discussion. I would suggest that the hon. Gentleman should withdraw his Motion for the Adjournment of the Debate, and that we should proceed to pass through Committee those remaining portions of the Bill which do not deal with sanitary matters, and which, therefore, are not of a contentious character.

(10.7.) DR. CLARK: I beg to withdraw my Motion. So far as I can see, the only other clauses that are controversial, and that would require to be postponed, are Clauses 383, 388, 389, 402, and 415, which are all really Assessment Clauses. The 450th clause is one of the Penalty Clauses, and I think it will require to be postponed; and the 480th clause, by which we are to have one law for the pawnbrokers and marine store dealers in one place and another in another. I do not care much about that. It is a question for the Government themselves to consider. But these are the only clauses that require to be postponed, so far as I can see—six, and three of them are consequential. We might take all the other clauses as they stand.

Motion, by leave, withdrawn.

(10.9.) DR. CAMERON: These are the clauses which are described in the Memorandum which has been circulated as the clauses that should be postponed. In one of the clauses it is provided that if a man break a lamp-post through carelessness he may be brought up before a Magistrate and fined. It is perfectly right to enforce some fine, but what is objectionable is that there should be a different remedy for the recovery of a civil debt in the case of a Public Body as compared with a private individual. As regards the Pawnbroking Clause, pawnbroking in Scotland is regulated by a general Act; and if it is advisable to amend that Act, I have nothing to press upon that point, though it appears a very curious thing that such a provision should be introduced here. But if the Government like to indulge in this futile form of legislation, and the pawnbrokers do not object, I do not object. As to the penalties, discussion would be required as to what should be considered the maximum. The Sheriff at the present time in summary cases has only the

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power of inflicting a maximum of two months' imprisonment; and according to some clauses of this Bill a Police Magistrate, who has no legal training, can give three months' imprisonment, or one month more than the Sheriff, who is a trained lawyer and an experienced Judge. I think if heavy penalties are to be given, at least they ought to be given by a trained Judge. I should certainly never dream of offering an opinion of my own against that of the majority; but the reason why I have made a stand upon the Sanitary Clauses is that I was convinced that my friends had not looked into the matter as closely as that matter required to be looked into, and that it required a certain amount of discussion to represent the bearings of the proposed legislation to the House in its true light.

*(10.14.) MR. LENG (Dundee): I can assure the Committee and the Government that it will be extremely regretted in the police burghs generally if the Health Clauses should be withdrawn. It is now eleven years since this Bill first came before the House, and the great fear is that if it is cut in two—if there is to be a Health Bill as well as a Police Bill—eleven years more may elapse before a Health Bill is passed. If we were to adopt that line at the present time it would be very much to be regretted. Recognising the very conciliatory tone of the First Lord of the Treasury, and the desire that exists that the Bill should be passed, I would say to hon. Members let them use the time between this and the further stages of this Bill for the purpose of drafting reasonable Amendments for it. Do not let it be spoiled by passing it as it now stands. I trust that while the Government are conciliatory in their attitude they will not give way to the opposition which emanates from a limited class.

(10.18.) MR. JOHN WILSON (Lanark, Govan): I wish to emphasise what has been said by the hon. Member for Dundee, and to state that my constituents are very anxious that this Bill should not be any longer delayed. I am sure that the passing of the Bill will give universal satisfaction throughout Scotland.

*(10.19.) SIR W. FOSTER (Derby, Ilkeston): I think that a very reasonable offer has been made by the right hon.

Gentleman the First Lord of the Treasury, and I hope that it will have the effect of getting a certain portion of the Bill through Committee. The opposition of hon. Members who speak for the medical profession is founded solely on the desire to put all systems of sanitary administration in Scotland upon one and the best level. If there is one thing to be avoided more than another in sanitary administration it is to have two different systems of arrangement in contiguous areas. It is for the sake of securing uniformity that my hon. Friend below the Gangway has raised this discussion.

(10.24.) MR. MARK J. STEWART: Unless we can come to some compromise with regard to this Bill, it is absolutely impossible that it can get through Committee. I am not in favour of every clause in it; for there are certain things in it which must be amended before it can be made a successful measure; but I am anxious that it should go through Committee, and I will not stand in the way of its doing so. I would venture to express the hope that the compromise which has been suggested will be carried out.

*(10.25.) MR. MARJORIBANKS (Berwickshire): I quite agree that it is a matter for great regret that the Health Clauses in the Bill should not be passed along with the Police Clauses. This is a very important Bill on the whole, and there is practical unanimity on both sides of the House with regard to the Police Clauses; but, unfortunately, there is not that unanimity in regard to the Health Clauses. The same arguments that apply to the Police Clauses do not apply to the Health Clauses. My hon. Friends who object to the Health Clauses undoubtedly have something like a *prima facie* case against them; and if they persevere in their opposition, they can no doubt defeat the Bill. I do not say that their opposition is well founded on every point, but it certainly seems to me that it would be advantageous to Scotland to have the Police Clauses passed even without the Health Clauses. I hope that hon. Members for Scotland will treat the matter in a spirit of fair compromise.

(10.28.) DR. TANNER (Cork Co., Mid): The Committee appear to me in a very sensible frame of mind. I can see no difficulty in the way of settling this matter. I think that the Bill might be

divided into two parts; and that if the Scotch people wish to have the Health portion pushed forward, it should be the duty of hon. Members to promote the welfare of the people of Scotland in that direction.

Amendment, by leave, withdrawn.

Clause postponed.

Clause 383.

DR. CLARK: Clauses 383, 388, and 389 are contentious. The only other clauses which will require to be postponed are 402, 415, which are chiefly Assessment Clauses, 450, which is a Penalty Clause, and Clause 480, under which there is one law for your pawnbrokers and marine store dealers in one place, and another for those engaged in those businesses elsewhere.

Clause postponed.

Clauses 384 to 387, inclusive, agreed to.

Clauses 388 and 389 postponed.

Clauses 390 to 395, inclusive, agreed to.

Clause 396.

MR. JOHN WILSON (Lanark, Govan): I suggest that in the interests of poor people unable to pay the police rates that permission should be given to the Magistrate before issuing the warrant to relieve these poor people from the expense and trouble they may be put to in order to raise the money. I find in the Poor Law Act a provision whereby the poor can be relieved of the rates by coming before the Magistrate and pleading poverty. I think it would be wise to save the infliction and annoyance of a warrant in such cases.

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): Although I should be willing to give the utmost consideration to any suggestion based upon those grounds, I must point out that the question has nothing whatever to do with this clause. This is not a clause to relieve anyone; it is a clause to provide for appeal where the collector has done something that causes anyone to feel aggrieved.

Clause agreed to.

Clauses 397 to 401, inclusive, agreed to.

Clause 402.

DR. CLARK: This clause is out of its place. It is like 140 and 141, and should, therefore, follow them.

SIR C. J. PEARSON: It is among the Assessment Clauses, and is quite in its proper place.

DR. CLARK: The proposals of Clauses 141 and 142 relate to the upkeep and maintenance of the pavements. The present law is that they are maintained by the landlords. If these clauses pass, then they will be maintained by the Town Councils or the Commissioners as the case may be; so that when we discuss Clause 140 it will govern and rule this 402.

Clause postponed.

Clauses 403 to 406, inclusive, postponed.

Clauses 407 to 414, inclusive, agreed to.
Clause 415.

DR. CLARK: This is also one of the Assessment Clauses.

*SIR C. J. PEARSON: I think that is true to a certain extent, but I must not be considered as acquiescing in the previous clause or the one under discussion. I think the hon. Member is mistaken, but as the one is postponed I do not object to the other being similarly treated.

Clause postponed.

Clause 416.

*SIR C. J. PEARSON: I desire to omit the words beginning with "other than," in line 7, and ending with "provided," in line 9. It is a matter of considerable importance, and yet I do not think there is any risk of its being contentious. A recent decision in the Court of Session raised the question whether public authorities were disabled from borrowing for the purpose of making, enlarging, ventilating and re-constructing sewers. Public authorities have been in the habit of doing so, and that there may be no doubt as to their power I propose to omit the words.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 417 to 421, inclusive, agreed to.
Clause 422.

DR. CAMERON: This clause renders persons liable to a fine of £10 or 60 days' imprisonment, to be inflicted by an untrained Magistrate, although two months' imprisonment is as long a term of imprisonment as can be inflicted by a

Sheriff. In certain instances the terms of punishment are longer, because a man may be sentenced to 60 days' imprisonment, and, failing a fine, to another 30 days. That confers upon the Magistrate power of very summary treatment. I desire the right hon. Gentleman to look into the matter, and consider whether it would not be safer to provide that the Sheriff should deal with the persons.

MR. ESSLEMONT (Aberdeen, E.): This power has been always in the hands of the Burgh Magistrates, and I know of no case in which it has been abused. It is true there is a good deal said against unpaid Magistrates altogether, but that is a different question from the one now before the House.

*SIR C. J. PEARSON: I rather think the hon. Member will find that under this Bill all the penalties to which he objects are of 60 days or under, or if they do exceed that it is only in exceptional cases. It must not be regarded absolutely as a £10 fine or 60 days' imprisonment whenever this Bill mentions those penalties. In every case, as far as I recollect, it is a penalty "not exceeding" the one or the other, and I think we may well trust the Magistrates to award such penalties as, in their opinion, are fair and reasonable in the circumstances of the case. As to the proposal that these offences should be relegated to the Sheriff, I am surprised to hear that suggestion from the hon. Member, and at the same time it is not one that I can accept. To relegate these offences to the Sheriff would overwhelm those hard-working officers with additional work; and, in the second place, it would take away from the Burgh Magistrates a class of offences which I think they are more competent to deal with than the Sheriffs.

DR. CAMERON: I do not wish to say a word against bailies and Burgh Magistrates, but what I say is that unpaid and untrained Magistrates should be restricted to small penalties.

MR. LENG (Dundee): If this clause errs at all, I think it is in the direction of leniency. There are a number of human brutes who care little for the imposition of a fine, and I think the only thing likely to have a deterrent effect would be the power of imprisoning the offender. In my opinion, therefore, the alternative of imprisonment might with advantage be added to some of the clauses of the Bill.

*SIR C. J. PEARSON: I believe hon. Members must agree that the penalties proposed in the Bill are only fair and reasonable.

DR. CAMERON: I do not say the penalties are too heavy, but what I should be opposed to would be increasing the powers of these Burgh Magistrates in the way of inflicting long terms of imprisonment.

MR. ESSLEMONT: Sixty days is the outside limit, with a further limit for caution, but I have never heard of this being used, or of any complaints being made on the point.

DR. CAMERON: I move that the clause be postponed.

Motion agreed to.

Clause postponed.

Clause 423 agreed to.

Clause 424 postponed.

Clause 425 agreed to.

Clause 426 postponed.

Clauses 427 to 449, inclusive, agreed to.

Clause 450.

DR. CLARK: This clause refers to begging, and I should like to know if it introduces any alteration into the law of Scotland as it stands now. Does it introduce any new punishment?

*SIR C. J. PEARSON: It is substantially the same as the old Act.

DR. CAMERON: Is it the same in respect to persons conducting themselves as vagrants?

SIR C. J. PEARSON: Yes, substantially the same.

Clause agreed to.

Clauses 451 to 469, inclusive, agreed to.

Clause 470.

DR. CAMERON: I think these clauses ought to be postponed.

*SIR C. J. PEARSON: No doubt these clauses are very closely connected with the policing of our large towns, but they scarcely seem to me to be Public Health Clauses.

DR. CAMERON: I did not understand that all the postponed clauses are Public Health Clauses. I think it would be better if we could in some way follow the clauses as they are put down in the Memorandum which we have received, and then, when we come to talk them over quietly after-

wards, we shall easily be able to arrive at an agreement.

*SIR C. J. PEARSON: I have not gathered previously that the hon. Member intends to consider all these clauses as Public Health Clauses. It is perfectly plain that some of these go a long way beyond what is called Public Health.

DR. CAMERON: The First Lord of the Treasury distinctly informed us that the Government did not wish to force these clauses through if we were not ready.

MR. A. J. BALFOUR: The Government have no desire to press any clause to which the Scotch Members make any objection, and if on consideration they think there is a *prima facie* case for objecting, I do not desire to ask the Committee to accept it as part of the Bill at present. If they adhere to the view that has been expressed, we shall not endeavour to force the clauses through Committee.

Clause postponed.

Clauses 471 to 476, inclusive, postponed.

Clauses 477 and 478 agreed to.

Clause 479 postponed.

Clauses 480 to 534, inclusive, agreed to.

Clause 535.

DR. CAMERON: I wish to direct the Lord Advocate's attention to this clause. It says—

"It shall be lawful for a Magistrate in case of any offence committed by a child not more than twelve, to summon the parent or guardian of such child to appear in Court, and ordain such parent or guardian to find caution for the good behaviour of such child as aforesaid, and to sentence the person ordained to find such caution to imprisonment till such caution be found."

If a boy commits an offence, the Magistrate does not punish him, but punishes the parent if he cannot find caution. Surely that is not intended?

MR. ESSLEMONT: By the proviso you have to show that the child is under the control of the parent before calling on him to find caution. I have had before me cases where parents aided and abetted the crime in order to get the child sent to a reformatory or industrial school. The object of the clause is not to punish such a child sent out to steal, but to punish the parent who sent it out. The clause proposes to punish parents

when they have responsibility, but they will not be punished unless they are guilty to such an extent as I have mentioned. I know of no clause which is more needed.

DR. CAMERON: If anything were required to make me more dubious than ever of the sagacity of unpaid Magistrates, even if they have been chief Magistrates of a great city, it is the defence my hon. Friend has got up for the proposal to punish the parent, who has committed no crime whatever, for a crime committed by his child, if he is so poor that he cannot find caution.

MR. ESSLEMONT: I said the desire was to punish the parent for the crime of sending out the child to steal, as I have known to be done. Nothing has convinced me more of the incapacity of my hon. Friend than his having supposed that poverty was a crime under the clause.

DR. CLARK: The clause says nothing about the fault of the parent or guardian, but faults on their part can be punished under the innumerable offences created by the Bill. I think the punishment of a parent sending his child out to beg is provided for in the Vagrancy Clause just passed. This clause calls upon the parent to find security instead of punishing the child. That is a capital provision constantly adopted in first offences. If the parent cannot find security, however, he is liable to imprisonment.

MR. ESSLEMONT: The last part of the clause shows that if the parent has exercised all due caution there can be no offence.

DR. CAMERON: That is during the six months which the security runs. My point is that if the parent cannot find security he may be sent to prison, and surely that is not intended.

DR. CLARK: I think there is some change in the first part of this clause since we passed it in the Committee, as it stands if a man, from poverty, cannot find the security he can be imprisoned till he has found it.

*SIR C. J. PEARSON: I think it would be wiser to postpone this clause, and I will undertake to give it my very careful attention.

Clause postponed.

Clauses 536 to 547 inclusive, agreed to.

Mr. Esslemont

Clause 548 postponed.

Clauses 549 to 558, inclusive, agreed to.

Clause 559.

DR. CAMERON: My Amendment is to substitute the "Secretary for Scotland" for "Lord Advocate." The analogous minister to the English Home Secretary is the Secretary for Scotland, and he would be the proper person to put the Court in motion.

Amendment proposed,

In page 204, line 11, to leave out "Lord Advocate," and insert "Secretary for Scotland."—(Dr. Cameron.)

Question proposed, "That 'Lord Advocate' stand part of the Clause."

*SIR C. J. PEARSON: The objections to the Amendment are that the Lord Advocate has always made the applications in the High Court of Justiciary, and it would not be appropriate for the Secretary of Scotland to appear there to make motions. Secondly, the Lord Advocate has been the official, so far as I understand the practice in Scotland, who has to initiate any proceedings for fixing forms of procedure even in Police Courts. It is expedient that should be done from time to time to secure uniformity, and I see no reason why the rule should be altered.

Question put, and agreed to.

Clause agreed to.

Clauses 560 to 562, inclusive, agreed to.

Clause 563.

*SIR C. J. PEARSON: I can relieve the Committee of one clause. This is a purely Departmental clause, and is I think unnecessary in this Bill. I move that it be omitted.

Clause omitted.

Postponed clauses further postponed till after the Schedules.

Schedule 1 agreed to.

DR. CLARK: I think Schedules 2 and 3 should be postponed, as they will require Amendment if they are retained.

*SIR C. J. PEARSON: It was my intention to move the postponement of the Schedules, as it would not do to pass them till we have decided whether they should include the Police and Public Health Acts or not.

edules 2 and 3 postponed.

Schedule 4.

DR. CLARK: The other Schedules, I think, may be considered non-contentious, although they occupy many pages.

DR. CAMERON: In connection with the clauses I think they may require a little modification; but I do not press the postponement if the right hon. Gentleman thinks differently. Some details, however, may want modification. I thought the right hon. Gentleman agreed to postpone all the Schedules?

*SIR C. J. PEARSON: I have no objection to the postponement of all the Schedules, and to do so will probably conduce to brevity afterwards. They will have to be gone over carefully in consequence of alterations made in the Bill.

Schedules 4 to 11, inclusive, postponed.

Committee report Progress: to sit again upon Monday next.

ACCUMULATIONS BILL.—(No. 277.)

SECOND READING.

Order for Second Reading read.

(11.35.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In moving the Second Reading of this Bill, I have to say it only touches a few cases and a very small part of a subject which has received a good deal of attention in past years. There are a few cases in which directions have been given, by will or otherwise, for the accumulation of the rents or profits from property, and the investment of such profits in the purchase of land. Owing to the alteration of the circumstances under which land is held, from those obtaining when the direction was given, very great inconvenience is found to arise therefrom, and it is proposed to limit the accumulations for the purchase of land to the period of the minority of the person who, under the trusts of the instrument directing the accumulation, would be entitled to receive the rents, issues, profits, or income of the property if of full age. The Bill will touch only a limited number of cases, and I now ask the House to read it a second time, for I think no question arises that may not be dealt with on the Committee stage.

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Motion made, and Question proposed, "That the Bill be now read a second time."—(Sir R. Webster.)

(11.36.) MR. HALDANE (Haddington): I hope the House will consent to the Second Reading. The Bill has a useful purpose, and deals with a need much felt in the country. Although, as the Attorney General is well aware, it does not go to the full extent of the evil to be remedied, certainly it is a Bill which ought not to be opposed.

*(11.36.) MR. KELLY (Camberwell, N.): I am not surprised at the praise given to the Bill by the hon. and learned Member opposite; but I am surprised that this Bill should have been brought in by the Government. The Bill certainly has a rather misleading name. I should have thought it would have been better described as an "Accumulations in Land Prohibition" Bill. But it may occur to hon. Members to wonder why people may accumulate everything else but land. The day, I suppose, has gone by when the wishes of a testator received respect and consideration, and I suppose it would be considered an anachronism now to say that some regard ought to be paid to the wishes of a man who made sacrifices in his lifetime for the benefit of his successors, and to get back the land which had gone from the possession of his family. I am not interested in the possession of land, but I do say that nothing can be more calculated to destroy the value of land than such a Bill as this. We are told there are some cases in which the Bill might be useful; we are told of the altered conditions of land; but those who made arrangements for their property after their death on behalf of those they wished to benefit must be supposed to have had some knowledge that land might rise or fall in value. It seems to me there is no reason, because land has now fallen in value, why all the wishes, all the sacrifices men have thought it right to make during their lives for those they loved and wished to benefit, should be completely ignored and disregarded. Of course, I know it is not in my power to stop the progress of the Bill, and therefore I confine myself to suggesting a slight alteration which I trust the Government may agree to. The offence aimed at by the Bill is the dire offence of attempting to accumulate land. Now, if it is an offence—and I will

suppose it is a gross offence—I cannot see why the offence which is created by the instrument under which the land is accumulated requires a provision such as this in the Bill. A man may not leave the rents and profits of property to be accumulated for the increase of the area of his land. By law the profits are not to be used to buy land; but why, if land is not to be accumulated, may not the rents and profits be allowed to be accumulated in some other form? You allow a man by any instrument to provide that after his death the accumulation of profits shall be invested in stocks of all kinds; but you say this shall not be the case in the matter of land; but why should not the rents and profits from land be accumulated in the way of investment in stocks? That would prevent the mischief—if it be mischief, though I cannot conceive how it is so—at which the Bill aims. I wish to ask the Attorney General if he will consent to a slight Amendment putting an end to accumulations in the way of land, but allowing people who happen to die possessed of land, and wish to increase their property for the benefit of those who are interested in the same way as those who have been more fortunate and have invested in stocks, to re-invest the interest and profits derived, if not in land, in certain specified stocks? I express my regret that the Bill has been brought forward, and I cannot understand what is the great mischief that is deemed to be met by it. I think it is lamentable that the wishes of those who during their lives have made great sacrifices for the purpose of accumulating property for the benefit of those in whom they are interested should be utterly disregarded and ignored.

*(11.40.) MR. MORTON (Peterborough): I am glad on this occasion to support the Government in what I believe to be a step in the right direction, and I trust that the hon. and learned Gentleman will not allow the Bill to become a farce by accepting such an Amendment as that which has been suggested. Although this is a very small Bill, it is a step in the direction of free trade in land, and I hope it will be carried into law without being mutilated as proposed.

*(11.41.) MR. TOMLINSON (Preston): This Bill is of a very peculiar character, and deserves, I think, a little

Mr. Kelly

more explanation than has been given to it. The Thellusson Act has been in force for a long time, and I think it is only right, before we are asked to alter an Act which has been so long in existence, and which on the whole has worked well, that we should have some explanation of the cases which have arisen, and which make it necessary to introduce these alterations. I am not aware that there are any greater objections to instruments directing the accumulation of profits to be invested in land than to the accumulation of funds to be invested in any other way. We are entitled to some kind of explanation why this particular form of investment is objectionable. But I specially call attention to Clause 2, and, assuming that there is something obnoxious in investing accumulations in land, and that it would be proper to direct that trusts, so far as they require this particular kind of investment only, should be void in the future, that is not the way to treat existing trusts. The fault, so far as we can judge from the Bill, is not that accumulations are wrong, but the mode in which the accumulations are directed to be invested is objectionable. The remedy, then, is not to declare that the direction for accumulation shall be void, but that the direction for this particular form of investing the accumulations shall be inoperative. Surely it is a sound principle to say you ought not to affect trusts more than is necessary to carry out the object of this Bill; and the object of this Bill is, for some unknown reason, to declare that accumulations shall not beyond a certain period be invested in land. Then why not limit the change to preventing the mischief which is supposed to arise, directing that trusts shall be so far modified as to allow investment in other ways to which there is not this great objection? I hope we may hear from the Attorney General that he will be prepared in Committee to consider whether the Bill can be modified to this extent.

*(11.45.) MR. SEYMOUR KEAY (Elgin and Nairn): I think explanation is sorely needed both by the hon. Member for Preston (Mr. Tomlinson), and also by the hon. Member for Camberwell (Mr. Kelly), and I think it is just as well that some explanation should be attempted to be furnished from this side

of the House, as none appears to be forthcoming from the Treasury Bench. My own view of the reasons which have led to the introduction of this Bill—a Bill to which I do not object—is this: that, emanating from a Tory Government, we may naturally suppose it is an emanation from those who have landlord interests at heart, and not only these, but the interests of landlords' descendants. What I believe has induced right hon. Gentlemen to introduce the Bill is this: they say the pestilent Radicalism of modern times is certain to reduce the value of land; and they say that it will be a very horrible thing if, as time goes on, noble Lords and those who possess a great deal of land will go on making wills, as they have continued for generations to do, directing that profits shall be invested in the accumulation of more land. The result will be that noble Lords and their descendants will be compelled to go on buying land in what right hon. Gentlemen know very well will be a falling market, until the Radicalism of modern legislation, the coming legislation, has the effect, in the near future, of reducing land to its real agricultural value in contradistinction to the fictitious value it has hitherto possessed, and which to some degree it possesses at present. In the absence of all voice from the Government, this is the explanation I, from below the Gangway, venture to offer to hon. Gentlemen behind the Treasury Bench.

*(11.47.) SIR W. FOSTER (Derby, Ilkeston): Some explanation is required of Clause 2. It appears to be retrospective in its operation, and we ought to know whether that is intended or not? I have no objection myself to either of the clauses; but I think we should pass the Bill with our eyes open, knowing whether or not it will affect trusts created many years ago.

*(11.47.) SIR R. WEBSTER: Only by the indulgence of the House can I answer the questions which have been put. First, in reference to the question raised by the hon. Member for Camberwell (Mr. Kelly), of course, if he proposes an Amendment in Committee stage in reference to any direction to be given as to what is to be done with the money which otherwise ought to be invested in land according to the will or instrument, that Amendment will be carefully considered; but it is difficult to

say off-hand whether we could accept it until we see the way the condition is imposed, and how far it agrees with the object of the Bill, which is to alter the law, and put an end to the accumulations of land by trusts created for that purpose. Then my hon. Friend the Member for Preston (Mr. Tomlinson) asks what is the necessity for the introduction of the Bill, and perhaps I ought to apologise for not having made a longer statement in moving the Second Reading; but when I remembered how this matter has been discussed twice in the last two Sessions on a Bill introduced by the hon. Member for North Norfolk (Mr. Cozens-Hardy), and by my hon. and learned Friend the Member for the Wellington Division of Somerset (Mr. Elton), when the matter was gone into very thoroughly, I could not conceive that hon. Members had forgotten these discussions; but had I known there was any wish for further information, I would have endeavoured to have fulfilled that wish by making a more lengthened explanation. My hon. Friend also raises the question as to the disposition of the income which otherwise would be invested in land. It is a question for the House to decide whether, accumulations in land being no longer permitted in the way provided by the testator, the profits should take some other form of investment, or should go to the person who would be entitled thereto, had there been no such direction. It is part of the proposition of my hon. Friend the Member for Camberwell. The hon. Member for Ilkeston (Sir W. Foster) asks whether the second clause is retrospective in its action, and, as I understand, it is so intended. If, however, in the view of the House it ought not to apply to trusts other than those created after the passing of the Act, then the operation of the clause may be so limited; but I frankly say that the clause as it stands will take effect against all future accumulations even though they might arise under trusts created before the passing of the Act. Should the view be taken that the clauses should not be retrospective, that view may be developed by Amendments in Committee. I would have directed my explanation more to details if I had thought that had been expected; but I thought, in view of what has taken place before, that was not necessary.

Motion agreed to.

Bill read a second time, and committed for Monday next.

INDUSTRIAL AND PROVIDENT SOCIETIES (LEASEHOLD ENFRANCHISEMENT BILL).—(No. 114.)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [18th February], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

(11.54.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Here I think I may fairly ask for some explanation. So far as I am concerned, I should be glad to see any proper scheme formulated by which Industrial and Provident Societies may acquire the freehold of their leaseholds; but I do not understand what safeguards the hon. Gentleman (Mr. Seale-Hayne) proposes to secure that the Bill should apply only to those whom it is intended to benefit. I am quite well aware that this matter formed the subject of discussion before a Committee upstairs—the Town Holdings Committee, I think—and that it is upon the result of that discussion the Bill is introduced; but that does not seem to me a sufficient explanation when we are asked to deal with only one branch of that inquiry. I think the House should have some explanation, so that we may judge of the principle which has been adopted before we assent to the Second Reading. I do not think you ought to take out any particular part of the subject without saying if you are able to separate it from those evils some of us think accompany it. I have not the slightest objection to discuss the Bill, but it must have a fair discussion. The Second Reading cannot be taken *pro forma*, and possibly the House will consider it will be more convenient to adjourn the debate now.

(11.56.) MR. SEALE-HAYNE (Devon, Ashburton): The Bill simply carries out a unanimous recommendation of the Town Holdings Committee that Provident Societies should be empowered to purchase the reversion of their leases; it does nothing more than carry out that recommendation. The

Bill has nothing of a Party character about it, hon. Members from either side of the House having set their names to it. The Bill is earnestly desired by Provident and Industrial Societies throughout the country, and I trust that the Attorney General will consent to the Second Reading, allowing points of detail to stand over for the Committee stage, which I will appoint for any day he pleases, allowing ample time for the consideration of Amendments.

*(11.58.) MR. TOMLINSON: I do not happen to know the grounds upon which the Town Holdings Committee made their recommendations, and the hon. Member has not enlightened us. But I assume there were some cases of hardship in reference to Societies of this kind upon which this recommendation was made. But this, I understand, was not the only recommendation made by the Town Holdings Committee, and I very much doubt the expediency of taking one kind of property here and another kind of property there, and dealing with them in separate Bills. As to this Bill being very much desired by these Societies, I may mention that I received a request from gentlemen representing a Co-operative Society that I would support the Bill, and I wrote to them asking them in what way they expected the Bill would benefit them, for I had a strong impression that they did not know whether the provisions of the Bill would be of any use to them, but I have received no reply.—

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Monday next.

TREES (IRELAND) BILL.—(No. 80.)

SECOND READING.

Order for Second Reading read.

Objection taken.

*(12.0.) MR. KNOX (Cavan, W.): I ask the hon. Member (Mr. Kelly) to withdraw his objection. Last year the Government assented to the principle by allowing the Second Reading of a precisely similar Bill.

*(12.0.) MR. KELLY: I am perfectly well aware what the Bill is, and if the promoters of it will agree to accept the Amendment proposed by my hon. Friend the Member for South Antrim (Mr.

Macartney) there will be no difficulty in getting the Bill through.

MR. KNOX: If the hon. Member had taken occasion to mention this Amendment we should have been very glad to have considered it.

*MR. KELLY: The Amendments have been down on the Paper two successive years, I believe, and I am perfectly sure that some were actually discussed in Committee last year.

Second Reading deferred till Monday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS BILL.—(No. 266.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 2) BILL.—(No. 267.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 3) BILL.—(No. 268.)

Read a second time, and committed.

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER [MILNATHORT WATER] BILL.—(No. 280.)

Read a second time, and committed.

PUBLIC ANALYSTS IN POLICE BURGHS BILL.—(No. 225.)

SECOND READING.

Order for Second Reading read, and discharged.

Bill withdrawn.

Leave given to present another Bill instead thereof.

PUBLIC ANALYSTS IN POLICE BURGHS (SCOTLAND) BILL.

Bill presented, and read first time. [Bill 225.]

MOTIONS.

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 4) BILL.

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Halifax, Milford, Northampton, Rochdale, Tenterden, and Wigan, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 305.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 5) BILL.

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary

Districts of Dover, Merthyr Tydvil, Plymouth, and Torquay, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 306.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 6) BILL.

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Chard and Henley-upon-Thames, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 307.]

ALLOTMENTS PROVISIONAL ORDER BILL.

On Motion of Mr. Long, Bill to confirm a Provisional Order made by the County Council of Gloucester under the Allotments Act, 1887, relating to the Parish of Abson-with-wick, in the Rural Sanitary District of the Chipping Sodbury Union, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 308.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

MR. CRILLY (Mayo, N.): May I ask the hon. Member for South Belfast (Mr. Johnston) who has charge of the Assistant County Surveyors (Ireland) Bill, and has set the Bill down for Monday, not to move the Second Reading then. I have inquired at the Bill Office and I am informed that it has not yet been printed.

MR. JOHNSTON (Belfast, S.): The Bill will be further postponed from Monday.

(12.4.) DR. TANNER: I had occasion to-day to put a distinct question to the Chief Secretary for Ireland, in reference to the treatment in prison of the convict, Mrs. Montagu, whether she is wearing her own dress or the prison dress; and strange to say, owing to the extraordinary answers, the embarrassing answers I received to-day, and on a former occasion, from the right hon. Gentleman a misunderstanding on the point remains, and many journals in the country have been led astray, and have led their readers to suppose that Mrs. Montagu is wearing prison clothes. I asked the right hon. Gentleman to-day to answer me in plain and simple language whether Mrs. Montagu is wearing prison clothes or her own attire. I have also called attention to the fact that when the prisoner was removed to Derry Prison she wore a silk dress and mantilla, was conveyed first-class, and had every possible attention paid to her;

and I also endeavoured, in my questions, to indicate the contrast to the treatment we received when we were political prisoners, every indignity being heaped upon us. But this woman, this murderess of her own child, and for whom none of her Antrim supporters will stand up to say a single word, has been treated with the highest consideration, taken first class from one prison to another, accompanied by her maid and allowed to dress in her own attire. Yesterday I asked the right hon. Gentleman a question couched in the plainest possible terms, and again this afternoon I repeated my question, seeing that in different sections of the Press the answers given were not understood. Once more I ask the right hon. Gentleman by his answer to clear away these doubts, and say, is this woman to receive better treatment than my hon. Friend the Member for North-East Cork (Mr. W. O'Brien), or any of our friends received? Is this rich woman, who murdered her own child, to receive the lenient treatment awarded to the Belfast forgers, to suit the exigencies of their station, while we, imprisoned for political offences on behalf of our land and people, suffered all the indignities our political adversaries thought proper to inflict? Will the Chief Secretary settle the matter once for all, and say whether Mrs. Montagu is required while in prison to wear a prisoner's dress?

(12.8.) COLONEL NOLAN (Galway, N.): I must say a word. I know nothing of Mrs. Montagu, but I do protest against my hon. Friend using the expression "murder." She committed an act of folly—of gross folly—but she had not the faintest intention of causing the death of her child. Another thing I may mention. Mrs. Montagu is a Catholic, and she did not have a fair trial, because Catholics were struck off the jury. I believe this lady, who has been foolish, criminally foolish, has not been fairly treated. She was a Catholic living in the North of Ireland, and a great deal of Protestant prejudice was excited against her. I believe she has been too severely punished. She incurred, and no doubt deserved, public censure, and this alone was sufficient punishment, a year's imprisonment is altogether too much. I wish to dissociate myself altogether from what the hon. Member for Mid Cork has said, and I really think he ought to get up and withdraw

Dr. Tanner

the expression "murderess." There is nothing in the evidence, the finding of the jury, or the speech of the Judge to justify the horrible imputation. It is a terrible responsibility to level this accusation of murder without a shadow of foundation, and certainly when this unfortunate woman has suffered heavy punishment this should not be added.

(12.10.) DR. TANNER: If I may be allowed a word of explanation, let me say in this matter I do not stand alone, and that the hon. and gallant Gentleman's friend and colleague, the hon. Member for North Monaghan (Mr. Patrick O'Brien), joined with me in raising this question. I have nothing to withdraw, and this lady—this woman, I must still call a murderess.

*(12.11.) THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): I do not propose to do more than simply answer the question of the hon. Member for Mid Cork. I thought I had made the matter clear. I endeavoured to explain that there had been no exceptional treatment in this case. A rule was laid down after very careful consideration, and amended in 1889, giving power to the Prison Commissioners to permit prisoners to wear their own clothes upon application made. I said application had been made, and that the Commissioners acted within their discretion, as they had a right to do; and I think, if the rule is carefully studied, we must even go so far as to say that in the circumstances under which the rule was framed it was contemplated that, unless there were sufficient reasons to the contrary, such permission need not be refused. No exception was made in this case, and I should regret if there had been. I think it must be clear from my answer, and I hoped I had made it clear yesterday, that permission to this prisoner to wear her own clothes was given by the Prisons Board. I do not see how there can be any doubt after the answer I gave yesterday and to-day. To the other questions it is quite unnecessary to go into them, and I feel sure that it will not be consonant to the feeling of the House to refer to matters which may make this painful case still more painful.

Motion agreed to.

House adjourned at a quarter after
Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 2nd May, 1892.

SAT FIRST.

Lord Kilmarnock (*E. Erroll*), after the death of his father.

LABOURERS (IRELAND) ALLOTMENTS BILL.

Returned from the Commons with the Amendments agreed to.

RAILWAY PASSENGERS ASSURANCE COMPANY BILL.—[H.L.]

Returned from the Commons agreed to, with an Amendment.

STATUTE LAW REVISION.

Message from the Commons to acquaint this House that they have added a Member to the Joint Committee appointed by both Houses to consider the subject of Statute Law Revision, as requested in their Lordships' Message of the 7th April last.

PILOTAGE PROVISIONAL ORDER BILL.

LOCAL GOVERNMENT (IRELAND)

PROVISIONAL ORDER (No. 1) BILL.

House in Committee (according to order): Bills reported without Amendment; Standing Committee negatived; and Bills to be read 3^a to-morrow.

SHERIFF COURTS (SCOTLAND)

EXTRACTS BILL.—(No. 67.)

Read 1^a, and to be printed.

BUSINESS OF THE HOUSE.

Ordered that the Evening Sitting of the House to-morrow do commence at a quarter past Four o'clock.

House adjourned at twenty minutes before Five o'clock.

HOUSE OF COMMONS,

Monday, 2nd May, 1892.

QUESTIONS.

THE HOUSE OF COMMONS SIGNAL LIGHT.

MR. PATRICK O'BRIEN (*Monaghan, N.*): I beg to ask the First Com-

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missioner of Works what is the cost per Session, including attendant's wages, of the signal light on the Tower of the House of Commons, and what would be the cost of an electric light so placed on the summit of the Tower, as to be visible from all parts of London; and whether he proposes to replace the present light by the electric light?

THE FIRST COMMISSIONER OF WORKS (*Mr. PLUNKET, Dublin University*): The cost of the signal light of the House of Commons per Session, including the attendant's wages, is £60. The initial cost of substituting an electric light, as suggested by the hon. Member, would not be less than £750, and its annual cost £150. I believe, however, that it would be possible to re-arrange the existing gas signal light so that with the assistance of lenses it could be made visible all round, at an initial expense of, approximately, £400 or £500. I cannot undertake to carry out any change this Session, but I think there is substance in the complaint of the hon. Member, and I will take care that it is considered in connection with next year's Estimates.

OIL RIVERS TERRITORY.

MR. WILLIAM H. CROSS (*Liverpool, West Derby*): I beg to ask the Under Secretary of State for Foreign Affairs whether the Courts of Equity established on the Oil Rivers for the purpose of counselling and assisting Her Majesty's Consuls in regard to the administration of that territory have been, or are now being, abolished by Major MacDonald, Her Majesty's Commissioner; and, if so, whether it is in accordance with the intention of Her Majesty's Government that the representatives of British trading firms shall have no participation whatever in the affairs of that district, the trade of which has now been laid under heavy taxation?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (*Mr. J. W. LOWTHER, Cumberland, Penrith*): The so-called Courts of Equity, for which provision was made by the Order in Council of 21st February, 1872, were merely arbitrators having no jurisdiction except by consent, nor any power to enforce their decisions. They have ceased to exist since the Order in

Council of 26th March, 1885, supplemented by the Order in Council of 22nd October, 1889, has established a regular judicial administration and furnished it with power and authority. Trade is not heavily taxed in the district, except that in distilled spirits and firearms, which are being taxed in accordance with the provisions of the Brussels Act. No other taxes are, or will be, levied beyond such as are requisite to balance the cost of administration.

LOCAL BOARDS AND SUNDAY CLOSING PETITIONS.

MR. GRAY (Essex, Maldon): I beg to ask the President of the Local Government Board whether it comes within the province of a Local Board to affix the seal of the Board to a Petition for the Sunday closing of public-houses?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) (who replied) said: My right hon. Friend desires me to say that the Local Government Board has no jurisdiction in regard to the proceedings of a Local Board in such a matter. At the same time, my right hon. Friend the President of the Local Government Board desires me to say that the question of the Sunday closing of public-houses does not appear to him to come within the province of a Local Board.

SIR WILFRID LAWSON (Cumberland, Cockermouth): Have not Local Boards power to petition for legislation?

MR. STUART WORTLEY: I did not say they have not the power to pass such resolutions.

VACCINATION.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether the attention of the Board has been called to the conduct of Mr. Sutton, the Medical Officer of the King's Norton Board of Guardians, concerning the vaccination and the death of a child named Dangerfield; whether he is aware that the Guardians, at their last meeting, by a majority of one, refused to ask the Local Government

Board whether chicken pox is a disease which under the General Order of the 28th February, 1887, should preclude a public vaccinator from vaccinating a child suffering from it, and if a protest has since been received from the minority; and whether he will make special inquiries into the case, and give instructions with a view of preventing in the future the vaccination of a child without proper previous examination by the Medical Officer into the state of its health?

MR. STUART WORTLEY: My right hon. Friend has requested me to answer the question. The Local Government Board has received a communication signed by six Guardians of the King's Norton Union, in which it is alleged that a public vaccinator lately vaccinated a child suffering from chicken pox, and inquiring whether, in the opinion of the Board, the public vaccinator was right in his view that the existence of this disease was no objection to the vaccination of a child. This is probably the case to which the question of the hon. Member refers. I am making further inquiries, and have requested the Board of Guardians to procure from the public vaccinator who vaccinated the child, and to forward to the Board, a detailed Report upon the circumstances of the case alluded to.

SCARIFF PIER.

MR. COX (Clare, E.): I beg to ask the Secretary to the Treasury what was the tonnage of goods delivered at the Scariff Pier during the twelve months ending 31st December, 1891, and the amount of tolls received by the Irish Board of Works there during the same period?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): The tonnage was 3,740 tons, and the tolls and wharfage amounted to £18 10s. 2d.

MR. COX: I am afraid the right hon. Gentleman is labouring under some mistake, because the books of the Board of Trade show items making up a total revenue of £92 10s. and a total tonnage of 5,290 tons. Will the right hon. Gentleman inquire into this question again; and if the figures I have given prove to be correct, will he re-consider his previous answer and ask

Mr. J. W. Lowther

the Board of Works to have a crane erected there?

SIR J. GORST: I can only give the information supplied to me by the Board of Works, from which the hon. Member's information shows a discrepancy. I have no means of ascertaining which is correct.

MR. COX: But my information is from the Board of Works, books at the place.

MRS. MONTAGU'S CHILDREN.

MR. LABOUCHERE (Northampton): I beg to ask the Attorney General for Ireland whether any steps have been taken, or are intended to be taken, to deprive Mrs. Montagu of the custody of her children at the expiration of her sentence?

MR. McCARTAN (Down, S.): Before the right hon. and learned Gentleman answers may I ask is he aware that it appears from the report of the trial that, in the opinion of the Judge who tried the case, the prisoner acted from a mistaken sense of duty, and never intended the consequence that followed her treatment of her child?

***THE ATTORNEY GENERAL FOR IRELAND** (Mr. MADDEN, Dublin University): As to the latter question, I can only say that I have no further knowledge than is possessed by any member of the public who has read in the Press the verdict of the jury and the language used by the learned Judge. In answer to the question on the Paper, I have to say that during the imprisonment of Mrs. Montagu her husband is solely entitled to the custody and care of his infant children, and there is no reason to apprehend his duty to them is not being properly discharged. At present I have no power to take any steps, and there is no reason for any intervention.

MR. PATRICK O'BRIEN: Does the right hon. Gentleman think it is desirable that the husband should have charge of the children, considering that the treatment to which they were subjected was within his knowledge, and he was unmanly enough to allow it?

MR. LABOUCHERE: I think the right hon. and learned Gentleman has not quite answered my question, which is whether Mrs. Montagu, when she

comes out of prison, should have custody of the children? Should not protection be secured for them?

***MR. MADDEN**: That question will not arise until April, 1893. I gather from the hon. Gentleman asking me what course I intend to take as Attorney General at that date, that he does not anticipate any change in the Government of Ireland in the interval. I fully adopt the hon. Gentleman's view of the probabilities of the case, and if he will put the question to me in April I shall be glad to answer it. In the meantime, I can assure him that the case has been, and shall be, carefully considered.

MR. H. GARDNER (Essex, Saffron Walden): Can the right hon. Gentleman say if there is any foundation for the rumour that Mrs. Montagu is about to be released from prison?

***MR. MADDEN**: No, Sir.

CIRCULARS BY POST.

MR. LAWSON (St. Pancras, W.): I beg to ask the Postmaster General whether the notices sent out by a Benefit Society, such as the Goldsmiths' and Jewellers', are to be considered circulars or letters; and whether he will issue a general instruction, so that a uniform practice may be carried out at the various offices, and thus avoid the inconvenience caused by different interpretations of the Post Office Regulations?

***THE POSTMASTER GENERAL** (Sir J. FERGUSON, Manchester, N.E.): The notices sent out by Benefit Societies are treated in the post as circulars, passing at a halfpenny, provided that the statement of account is distinct from the circular. The Society in question does not appear to have conformed to this rule, with which I understand that generally the Friendly Societies are well contented. It is a modification expressly designed in their interest. The instruction issued is quite definite, but there has been in some cases a failure to comply with it. There is a substantial reason for the requirement; for if such circulars were allowed to contain varying particulars, all others must be allowed the same latitude, and a considerable loss of revenue would result.

THE ERASMUS SMITH ENDOWMENT.

MR. MAURICE HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why the publication of the draft scheme with reference to the Erasmus Smith Endowment, promised at Easter, is still delayed by the Endowed Schools Commissioners; how long is it since the Commissioners held their inquiry as to these Schools; and what is the cause of the delay in publishing the draft scheme, and when it will be published?

*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The Educational Endowments Commissioners report that the scheme for the Erasmus Smith Endowment has been settled, and that the final revise is in the hands of the printers. The publication of the scheme has been fixed for the 14th. The delay has been due to questions arising out of the complications of the case.

INSURRECTION IN VENEZUELA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether any communication has been received from Her Majesty's Consul or Acting Representative at Caracas with reference to the recent outbreak in Venezuela; and whether any instructions have been sent with regard to the protection of the lives and property of British subjects in Venezuela?

MR. J. W. LOWTHER: No Report has yet been received from the British Consul at Caracas with reference to the recent outbreak in Venezuela, but Despatches from him are probably now on the road home. The Commander-in-Chief of Her Majesty's Naval Forces on the West Indian Station reported on the 13th April that he had ordered H.M.S. *Canada* to La Guayra, the port of Caracas. H.M.S. *Tourmaline* had also been ordered to proceed to La Guayra with authority for both of them to remain there if the state of affairs should be such as to necessitate their joint presence.

CIVIL SERVICE SICK LEAVE.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Chancellor of the Exchequer if he can say how many

months' continuous sick leave, or continuous sick and private leave combined, are allowed, with full pay, to Civil servants of the Crown; whether the same period of continuous leave, with full pay, is granted equally to ordinary clerks and to the superior officials, and if the same rule applies equally in all Departments of the State; whether there is any truth in the rumour mentioned in the *Civilian* newspaper, of the 9th April last, that there has lately been more than one instance in which certain highly placed officials have been allowed to draw full pay when absent from duty for more than six months; and whether the Comptroller and Auditor General has any means of checking a proceeding of this kind?

SIR J. GORST: Perhaps the hon. Member will allow me to answer the question. Six months' continuous sick leave may be given, at the discretion of heads of Departments and without distinction, to clerks of the Second Division and to officers of higher standing under Order in Council, and the rule applies to all Departments. The Treasury have expressed the opinion that this allowance is a very liberal one, and ought to include ordinary leave. I am not aware of the circumstances alleged in paragraph three. The Comptroller and Auditor General has, so far as I am aware, no means of checking the allowance of leave to Civil servants.

ALLEGED FISHERY DISTURBANCES
IN THE SHETLANDS.

MR. LYELL (Orkney and Shetland): I beg to ask the Lord Advocate if he will state on what authority, and on what information, H.M. gunboat *Watchful* has recently been despatched to Shetland to prevent the alleged threatened disturbances in the Island of Whalsay?

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): Information was recently received by the Fishery Board that disturbances in relation to fishery matters were apprehended in the Island of Whalsay, and the gunboat *Watchful*, being the nearest available steamer, was despatched to the locality, but finding that her presence there was

not required returned after a few days.

CORK POOR LAW ELECTION.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the fact that Mr. Edward Fitzgerald, a Poor Law Guardian of the Cork Union, was recently convicted on three charges of having forged and tendered proxy voting papers in his own favour when a candidate in a recent Poor Law election, any action will be taken by the Local Government Board to test the legality of the election of Mr. Fitzgerald and a number of other Guardians in the Cork Union alleged to have been returned at the late election by means of forged proxy votes?

*MR. JACKSON: Adjourned summonses in other instances are still pending against the newly-returned Guardian mentioned. The case has already engaged the attention of the Local Government Board, who, upon the completion of the legal proceedings, will come to a determination in the matter.

POST OFFICE TELEGRAPH FINANCE.

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Postmaster General what were the gross receipts and expenditure respectively of the Post Office telegraphs during the year ended 31st March, 1892; what was the amount expended during the same year on account of the annual charge for the securities created for the purpose of the Telegraph Acts, 1868 to 1870, and any Acts amending the same; and when will the Returns required by Act 24 & 25 Vic., c. 47, s. 33, and Act 39 Vic., c. 5, s. 4, for year ended 31st March last, be laid upon the Table?

*MR. J. FERGUSSON: The first Act referred to by the hon. Member does not relate in any way to telegraphs, but to Ramsgate Harbour. The Returns required by Act 39 Vict., c. 5, s. 4, are those which give the information asked for in the first and second paragraphs. They cannot be prepared for the year ended 31st March last until the accounts of that year have been closed; this will not be possible until November next, nor does

the Act require them to be laid before the 30th November.

MR. JOHN ELLIS: Can the right hon. Gentleman give the figures?

*MR. J. FERGUSSON: No; it is not possible to do so yet.

LORD GUILLAMORE'S ESTATE.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state at how many years' purchase of the Government valuation a tenant, named Daniel M'Coy, of Cooltown, County Limerick, has purchased his farm from Lord Guillamore under the Ashbourne Act; whether he is aware that M'Coy made, through Mr. Nicholas H. Darcy, a previous offer to purchase the same farm, which the Land Commissioners refused to sanction; what terms did M'Coy offer; and why did the Commissioners withhold their sanction?

*MR. JACKSON: The Irish Land Commissioners report that no such person as Daniel M'Coy appears to have purchased a farm on the estate mentioned in the question. Mrs. Margaret M'Coy, the Commissioners report, purchased under the section of the Act of 1891 as an evicted tenant. The purchase money was £1,250, being 18½ years' purchase on the tenement valuation, and 15½ years of the previous rent. The Commissioners are not aware that Daniel M'Coy or Mrs. M'Coy made any previous offer to purchase through Mr. Darcy; but in 1888 they received an application from Mr. Darcy to purchase on his own account, and this was refused by the Commissioners because it did not appear that he was the *bona fide* tenant of the holding and did not appear to have stock of his own to work the farm, and because in the preceding year two farms held by him had been sold under execution.

MR. PATRICK O'BRIEN: Does the right hon. Gentleman know how many years' purchase Mr. Darcy offered?

*MR. JACKSON: I have no information as to that.

POST OFFICE SUNDAY DUTY.

MR. PATRICK O'BRIEN: I beg to ask the Postmaster General whether eight hours per month Sunday duty is deducted from the pay of the hall porters in the General Post Office,

Dublin, while all other officers are paid full time at time and a quarter rate; and, if so, why; whether he has yet considered the case of these officers; and if he is yet prepared to state the result?

*SIR J. FERGUSSON: It is not a correct statement of the case to say that the two hours of duty done on Sunday by the hall porters at the General Post Office, Dublin, constitute a deduction from their pay or an addition to their duty, for that amount of Sunday attendance formed part of the terms upon which they entered the Service upon weekly wages; nor is it correct to say that all other officers are paid at a higher rate for Sunday work. There are large numbers of Post Office servants in all parts of the Kingdom similarly employed for a short time on Sunday. I told the hon. Member in February that I would consider the matter, and returns of the Sunday work thus done are being furnished, but I cannot state at present whether there is any intention of altering the rate of pay given, which is, as I have said, in accordance with the conditions upon which the men took service.

THE FLINTSHIRE CORONER.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the repeated complaints made against the Coroner for Flintshire with regard to the delay in holding inquests in his district, for instance, in the case of Joseph Edwards, Primrose Hill, Connah's Quay, who was drowned at Saltney on Wednesday 13th April, while no inquest was held until Saturday 16th April, and in the case of Henry Lynch, who was found dead in bed at Wepre, Connah's Quay, on 18th March, no inquest was held at all, though the body remained unburied for four days, and in both cases timely notice had been given to the Coroner?

MR. STUART WORTLEY (who replied) said: We learn from the Coroner that in the case of Edwards, who was drowned on the 13th April, no intimation of the death reached him until the next day. The Coroner's officer was unable to get his

warrant issued to summon a jury until the day following, which was Good Friday, a day on which the inquest could not take place. The inquest was held on the Saturday morning, which, under the circumstances, was the earliest possible day. As to the case of Henry Lynch, who was found dead on 18th March, the Coroner informs us that on the day following he received a police report which stated the cause of death to be unknown, and that he immediately telegraphed for further inquiries to be made, and for the result to be reported to him by telegraph. Upon receiving a telegram in reply the same day that the deceased was supposed to have died from heart disease, and that there were no suspicious circumstances, he thereupon issued his certificate that no inquest was necessary. The Secretary of State is informed by the Coroner that he has not heard of any complaints being made against him except those contained in the hon. Member's question.

FOOD IN IRISH MODEL SCHOOLS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the dietary for pupil teachers in the Irish Model Schools is prescribed by the National Board of Education; and, if so, whether any pains are taken to insure that the food supplied is either sufficient in quantity or of a prescribed quality?

*MR. JACKSON: I understand from the Commissioners of National Education that the dietary for the pupil teachers is prescribed by the Board, and that it is part of the duty of the Inspectors in charge of the Model Schools to see that the dietary is sufficient both in quantity and of the quality prescribed.

IRISH GRAND JURIES.

MR. T. W. RUSSELL: I beg to ask the Attorney General for Ireland whether his attention has been called to the proceedings at the recent Quarter Sessions at Londonderry, when a Grand Jury, summoned from every part of the county, was empannelled, and told by the Judge there was no business to go before them; whether the same thing occurred in the follow-

ing week at Dungannon, County Tyrone; and if he will endeavour to devise some means, either legislative or otherwise, by which jurors may be freed from attendance when there is no business to go before the Court?

MR. MADDEN: I am quite sensible of the inconvenience suffered by jurors in the discharge of a public duty, and if any practical suggestion is offered by which that inconvenience may be lessened I shall be very glad to consider it. At the Quarter Sessions mentioned, it was impossible for the Sheriff to ascertain that the services of the jurors would not be required. The Grand Jury of Londonderry were not selected from every part of the county, but from the city and liberties of Londonderry and the surrounding barony.

MR. MAC NEILL (Donegal, S.): Is it not the case that at Quarter Sessions there is a day fixed for Crown business, and called "Crown" day, and is it not possible for the Clerk of the Peace, when there are no criminal cases coming on, to telegraph to jurors to prevent them coming in? Every opportunity offers for doing this, as Crown business does not come on until one o'clock.

MR. MADDEN: The matter referred to by the hon. Member has no bearing on the question of the hon. Member for South Tyrone, which has reference to Grand Juries who must attend to find bills, and bills may be sent up at the last moment. Of course it is impossible for the Sheriff to know if they will be required or not. The course suggested by the hon. Member has never hitherto been adopted.

MR. MAC NEILL: I meant the Grand Juries at Quarter Sessions, and I understand that bills are never framed on the morning of the proceedings, and the Clerk of the Peace would have the opportunity to send a telegram.

TREASURE TROVE AT DOLGELLY.

MR. RANDELL (Glamorgan, Gower): I beg to ask the Attorney General whether certain correspondence took place between Sir A. K. Stephenson, the Solicitor to the Treasury, and the junior Member for Merthyr, July 1890, respecting a chalice, paten discovered at Dolgelly, and disclaimed as treasure trove by the Crown.

and whether Sir A. K. Stephenson was informed by the junior Member for Merthyr that the person entitled to the possession of the articles, pending inquiry, was the Coroner for the county, Mr. W. R. Davies, who would doubtless have been able to obtain possession of them for the Treasury; whether any steps were taken for the possession of such articles until after their sale lately in London for several hundred pounds; whether Mr. Boare, of the Strand, who purchased them at a sale at Christy's, has been served with a notice by the Solicitor to the Treasury, that such articles are claimed on behalf of the Crown; and, in the event of the Crown proceeding to enforce its rights, whether he will pay to the purchaser the amount which he paid for such articles, he having purchased them in market overt?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In answer to the hon. Member's question I have to say that some correspondence did pass between Sir A. Stephenson and the junior Member for Merthyr, respecting a chalice and paten stated to have been discovered at Dolgelly under circumstances which the Advisers of the Crown believe would entitle the Crown to claim the articles as treasure trove. Since that time the Treasury has been unable either to ascertain in whose custody the articles have been, or to obtain sufficient information to justify proceedings for their recovery, and it was only after the sale referred to had taken place that they received any information which would enable them to trace the articles. Instructions have been given for the immediate commencement of proceedings to obtain possession of them. The position of Mr. Boare, and the manner in which he will be dealt with, will depend upon the facts elicited in the course of these proceedings.

MR. MUNDELLA (Sheffield, Brightside): Is the hon. and learned Gentleman aware that at the sale there was a bid for the Government within a few pounds of the amount at which the articles were purchased?

*SIR R. WEBSTER: I certainly have not the information the right hon. Gentleman seems to have at his disposal.

MR. PRITCHARD MORGAN (Merthyr Tydvil) : May I ask whether the fact that the purchaser, having paid for the articles in market overt, is not an answer to the claim of the Crown ?

*SIR R. WEBSTER: It must not be assumed that the sale was in market overt.

CONVICTS IN MOUNTJOY PRISON.

MR. JOHN O'CONNOR (Tipperary, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether convicts Cooney, tinker, Mc Donagh, tinker, and Philip Cullen, returned convict—who was flogged in Spike Island—have at their own request been given permanent changes of work in Mountjoy Prison ; and whether there is any difference in this respect between their treatment and that of convict O'Leary ; and, if so, why ?

*MR. JACKSON : The hon. Member has been misinformed. The Report received from the Prisons Board shows that none of the convicts referred to in the question were given permanent change of work at their own request.

MR. JOHN O'CONNOR : Were they granted change not permanent, but for any time ?

*MR. JACKSON : The point of the hon. Member's question is whether any change of work was made at their own request, and I understand that no change has been made at their own request.

MR. JOHN O'CONNOR : The right hon. Gentleman has not stated if there was any difference in the treatment of O'Leary ?

*MR. JACKSON : My answer is that none of the convicts mentioned had any change made in their work at their own request. As a matter of fact the change may have been made as a punishment.

MR. WILLIAM O'BRIEN (Cork, N.E.) : Is it not a fact that there have been several complaints of the treatment of political prisoners under the present Governor of Mountjoy Prison, and will the right hon. Gentleman consider the desirability of ordering an independent outside inquiry to ascertain if there is any foundation for these complaints ?

*MR. JACKSON : I do not think there is any such necessity. I had an opportunity, and personally inspected

this prison, and came to the conclusion that I had never seen a prison better ordered.

MR. WILLIAM O'BRIEN : Of course, the prison officials, knowing of the right hon. Gentleman's intended visit, had everything in "apple-pie order."

*MR. JACKSON : The hon. Member has made a very bad shot. I purposely went to the prison without announcing my intention of doing so, and nobody knew I was going there. When I arrived the Governor was not there, and no one knew me.

MR. MAC NEILL : How did the right hon. Gentleman get in if he was not known ?

MR. JOHN O'CONNOR : Did the right hon. Gentleman have an interview with O'Leary and take his account of his treatment ?

*MR. JACKSON : I must have notice of any further questions.

MR. WILLIAM O'BRIEN : If the right hon. Gentleman has not had the accounts of prisoners I do not know how he can judge of their treatment.

POLITICAL PRISONERS ON THE GOLD COAST.

MR. JOHN O'CONNOR : I beg to ask the Under Secretary of State for the Colonies how many prisoners are now detained under the authority of Ordinances of the Gold Coast Colony ; how many are there so detained against whom charges were made and not substantiated, and how many others against whom charges were made and dismissed ; how many were released and subsequently imprisoned without any formal charge being made against them, and how many have been brought from the interior and detained in prison ; has the ordinary process of law been set aside in cases of persons charged with offences at the Gold Coast ; and, if so, why ; and has the Governor of the Gold Coast recently visited Elmina ; and, if so, has he inquired into the cases of prisoners detained under exceptional legislative measures, and with what results ?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth) : There are 13 political prisoners detained, of whom six

are from the Gold Coast Protectorate and seven from Sierra Leone. Only one prisoner is detained in custody, against whom the Government failed to establish a charge of murder. There are none against whom charges were made and dismissed. One was released and subsequently re-arrested, having broken the conditions of release. All except one were brought from the interior districts of the Protectorate. In ordinary circumstances the usual process of law is observed; but the persons referred to are detained under special Ordinances for political offences. I am not aware whether the Governor has recently visited Elmina. He has standing instructions to report every six months whether any of these prisoners can be released. A Report is now due and may shortly be expected.

MR. JOHN O'CONNOR: Did not the right hon. Gentleman state, or was it not stated on his behalf, about twelve months ago, that the Governor was about to visit Elmina, and would inquire and report to the Colonial Office upon these matters? Has that inquiry taken place, and has a Report been made?

BARON H. DE WORMS: I have stated that instructions have been given for a Report every six months.

MR. JOHN O'CONNOR: But this was twelve months ago.

BARON H. DE WORMS: A Report is now due.

MR. JOHN O'CONNOR: Perhaps the right hon. Gentleman can accelerate that Report.

THE SALE OF CIDER.

GENERAL SIR F. FITZWYGRAM (Hants, S.) (for Mr. BYRON REED, Bradford, E.): I beg to ask the Secretary to the Treasury whether any Customs or Excise Duties are collected under any circumstances on cider; whether any cider on which no such duties have been paid may be sold by retail without an Excise licence; whether he has any information showing the strength of the ciders imported into and manufactured in this country; and whether beer of the same strength as such ciders is on the same footing as regards the payment of duty and the conditions of sale by retail?

SIR J. GORST: There are no Customs or Excise Duties on cider as such; but if on importation it is found to contain or to be fortified with spirit, duty is charged. Cider cannot be sold without an Excise licence. I have no information as to the strength of ciders imported and manufactured, but such information is being collected. Beer is not on the same footing as cider as regards the payment of duty. The conditions of sale by retail are practically the same for both.

AGRICULTURAL BANKS IN INDIA.

MR. SAMUEL SMITH: I beg to ask the Under Secretary of State for India whether his attention has been called to a paper read by Sir William Wedderburn, at the Society of Arts, last Wednesday, on Agricultural Banks in India; whether he is aware that the Government of India sanctioned an experiment in that direction ten years ago, but that was checked by the reply of the India Office; whether he is aware that 2,000 similar agricultural banks exist in Germany, doing an annual business of £150,000,000 a year, to the immense advantage of the peasantry; and whether, considering that the Indian peasantry are deeply in debt to the money lenders, and are paying an average of at least 24 per cent. per annum of interest for their advances, the Secretary of State for India will give facilities to try this most important experiment in India?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): The Secretary of State has seen a copy of Sir W. Wedderburn's paper, but has not read any report of the discussion to which it gave rise. A Return which was moved for by the hon. Member in 1887 contains the proposals made by the Government in India in 1884 for the experimental establishment of an agricultural bank in the Poona district, and the reasons for which the then Secretary of State was unable to accept these proposals. A reference to the Return of 1887 will show the hon. Member that the Secretary of State is not ignorant of the fact that these banks exist in Germany and other parts of the world. Lord Kimberley's Despatch of 1884, negating the

scheme then submitted, invited further proposals, which, however, have not yet been received. Like his predecessors, the present Secretary of State is most anxious to promote any practicable scheme for mitigating the evils caused by the indebtedness of the landed classes in India. And I should add that a Report on the subject is now being prepared under the orders of the Governor of Madras by an Indian officer who has studied on the spot the system of rural banks obtaining in Germany and Italy.

TELEGRAPHIC COMMUNICATION WITH LOUISBURG.

MR. WILLIAM O'BRIEN: I beg to ask the Postmaster General whether his attention has been drawn to the grave public inconvenience caused by the absence of telegraphic communication with Louisburg, County Mayo, which is 13 miles from the nearest telegraph station, and which has a population of 1,888 persons within the Electoral Division; is he aware that a large number of steam trawlers from England and Scotland are at present making this bay their headquarters, and that the Congested Districts Board have under consideration plans for starting an important fishing industry in the immediate neighbourhood, the success of which would be greatly promoted by telegraphic communication with the English markets; whether electric communication is about to be established with the lighthouse on the adjoining Island of Clare, and is not Louisburg the nearest point of land from which such a connection could be formed; and whether, under these circumstances, the memorial of the inhabitants of Louisburg, praying for the extension of a telegraphic service to that town, will be reconsidered?

*SIR J. FERGUSSON: A memorial was presented in November, 1890. It was ascertained that the cost of establishing telegraphic communication would be £337; and that the guarantee, on the terms then in force, would have to be fixed at £109 a year. The revenue was estimated at only £10. It is plain that the Post Office could not undertake the service at so great a loss, and the extension was, therefore, offered under

guarantee in the usual way. Since then the terms of guarantees have been considerably modified, and this one could now be fixed at £62 instead of £109. Under the Act of last Session, 54 & 55 Vic., c. 46, the Local Authorities are empowered to undertake the guarantee. The question of an extension of electrical communication to the lighthouse on the Island of Clare is one for the Royal Commission which Her Majesty's Government propose to appoint.

MR. WILLIAM O'BRIEN: In this particular instance, who are the Local Authorities?

*SIR J. FERGUSSON: The Board of Guardians.

THE MOMBASA RAILWAY.

SIR W. HARCOURT (Derby): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the fact that the British East African Company have been unable to communicate with Uganda, or to receive any information with reference to the condition of the country in that district since December last; and whether he is able to state what is the present position of the officers engaged in the survey of the Mombasa Railway, and at what distance they are supposed to be situated, by the last accounts from Mombasa and the Lake respectively?

*MR. J. W. LOWTHER: The difficulties of communication between the British East Africa Company and their officers in Uganda are due to the great expense involved in sending caravans to and fro between Uganda and the coast. The last expedition to Uganda was sent in August last. No communication has been received from Uganda since last October. On the 5th March last Captain Macdonald wrote from Mackado that the survey party had reached Kikuyu, and had found a practicable route for the railway for 350 miles. Kikuyu is about 150 miles from the Lake. There had been a slight delay at Mackado due to difficulties in obtaining supplies and transport.

SIR W. HARCOURT: I understand from the hon. Gentleman that no news has come from Uganda at all since October last?

Mr. Curzon

*MR. J. W. LOWTHER: No news has been received through the English sphere of influence. The news which has reached us has come through the German sphere of influence. As far as I have been able to trace it, it comes from a trader who resides at the south end of the Lake. It appears that in February last he wrote stating that two gentlemen named Ash and De Winton, missionaries to the west side of the Lake, had been killed. A month later another communication was received from him, stating that they were both quite well. The same gentleman had also written to the effect that Mwanga had been driven out of the country, and was on the west side of the Lake, collecting a force for an attack on Uganda. But in the last letter, written in March last, the gentleman stated that Mwanga was now in the German sphere of influence at the south side of the Lake, and not at the west, as previously reported by him.

LAND CASES IN CAVAN.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Sub-Commissioners who sat to hear land cases in Cavan last summer adjourned, leaving some twenty cases which had been listed unheard, saying they would return in three weeks, but have not sat there since; whether he is aware that some cases in the district which were entered four years ago have not yet been heard; and whether the proper steps will be taken to have these cases disposed of?

*MR. JACKSON: I should be much obliged if the hon. Member will postpone this question in order to enable us to make inquiries with regard to it.

LORD WANTAGE'S COMMITTEE AND ARMY DRAFTS.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary of State for War if his attention has been called to a reply given by His Royal Highness the Duke of Connaught before the Committee on the Terms and Conditions of Service in the Army (Q. 9410), in which His Royal Highness stated that the draft sent out in October, 1889, to the 1st Battalion of the Rifle Brigade was the youngest draft he had ever

seen, and that he had written home to say that he feared one-half of them would die, a result which His Royal Highness heard later had actually occurred; and whether any Regulations are in contemplation to prevent the waste of young life in future?

THE SECRETARY OF STATE FOR WAR (MR. E. STANHOPE): Yes, Sir, my attention has been called to the statement made by His Royal Highness as regards the alleged mortality in the 1st Battalion of the Rifle Brigade, and I have caused careful inquiry to be made. I find that the information given to His Royal Highness was altogether inaccurate. The strength of the draft was 154, not 250 as stated. Only ten deaths out of a total of 35 deaths which occurred in the whole battalion in 15 months can be assigned to the men composing the draft, and seven out of the ten died of enteric fever. The ages of the men composing the draft ranged from 20 to 26 years. The year 1890 appears to have been an abnormally unhealthy one in the district in which this battalion was stationed. I may add that the Report of the Inspector General in India upon this draft was as follows:—"The draft that came were a good-looking and able body of young men"; and he further stated that the battalion was full, and in a first-rate condition of efficiency.

THE LOUGH ERNE DRAINAGE SCHEME.

MR. KNOX: I beg to ask the Secretary to the Treasury whether he will produce in full, for the inspection of Members interested, Mr. Price's statements of 19th and 31st August, 1891, parts of which are printed in the Report of the Board of Works in Ireland on the Lough Erne Drainage Scheme, at pages 10 and 11; whether it is the fact that, though no reference is made to the matter in the Report, no part of Mr. Price's scheme relating to navigation has been carried out; and whether, if any improvement in navigation has been effected, will he explain what that improvement is?

SIR J. GORST: I do not think that it would serve any useful purpose to lay upon the Table the unpublished parts of Mr. Price's Reports, which do not affect the object of the Return.

I am informed that all works as contemplated in Mr. Price's scheme have been carried out; but I am not able to say how far the navigation has been improved.

MR. KNOX: I beg to ask the Secretary to the Treasury in how many cases the Commissioners of Public Works in Ireland have raised the rents of tenants whose lands are alleged to have been improved by the Lough Erne Drainage; what is the total amount of increase; what is the acreage of the land alleged to have been improved, and on which the rents have been increased; and how many of such tenants held under judicial tenancies?

SIR J. GORST: An inquiry is being made by the Board of Works, and when it is completed I will give the hon. Member the information he requires.

MR. KNOX: Can the right hon. Gentleman give me information as to the cases in which compensation has been given by the Board of Works?

SIR J. GORST: No, Sir; but if the hon. Gentleman will give me notice I will endeavour to get him the information.

WELSH MEDICAL INSPECTORS.

MR. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Secretary to the Local Government Board whether, having regard to the fact that there are in Wales many districts subject to medical inspection in which the Welsh language is almost universally spoken, he will, in filling up future vacancies among the Inspectors attached to the Medical Department of the Local Government Board, give the preference to one candidate at least—if in other respects competent—who can speak and understand that language?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (MR. LONG, Wilts, Devizes): It was stated by the President of the Local Government Board, in reply to a question a short time since, that in the event of his having to fill up a vacancy in the office of Medical Inspector, where the duties of the officer would chiefly be in Wales, and he had before him two candidates who, apart from the question of the Welsh language, were in all respects equally well qualified for the position,

Sir J. Gorst

he would be willing to give the preference to the candidate with a knowledge of the Welsh language. I cannot give any further undertaking on behalf of the President of the Local Government Board.

THE NEW FOREST RIFLE RANGE.

MR. LABOUCHERE: I beg to ask the Secretary of State for War whether, in view of the fact that, at the recent local inquiry as to the safety and suitability of the proposed rifle range in the New Forest, evidence of there being other sites safe and suitable within the Southern Military District was excluded, he will fully consider such other sites as have been found before proceeding further with the proposed site in the New Forest?

MR. E. STANHOPE: Certainly, Sir, I will consider the alternative sites that have been suggested.

LIBRARIES FOR VILLAGES.

MR. H. GARDNER (Essex, Saffron Walden): I beg to ask the Vice President of the Committee of Council on Education, with regard to the purchase of Messrs. Cassell's National Library, or some such library, by the school managers in villages where no library exists, and the great importance of having some lending library in such rural districts, whether he will take steps to make it obligatory on school managers to avail themselves of the permission he has given them to purchase such libraries in such cases?

THE VICE PRESIDENT OF THE COUNCIL (SIR W. HART DYKE, Kent, Dartford): No, Sir, it would be entirely outside the province of the Department to take any such steps as those suggested by the hon. Member, although we may do our best to popularise a movement such as that he refers to in his question.

ADULTERATED BUTTER.

MR. MAC NEILL (Donegal, S.) (for Mr. McLAREN, Cheshire, Crewe): I beg to ask the Secretary to the Local Government Board how many samples of butter were analysed under the Sale of Food and Drugs Act last year, and how many were found to be adulterated; and how many such

samples were detected by means of the Margarine Act?

MR. LONG: The Reports for 1891, which have been furnished to the Local Government Board, under the Sale of Food and Drugs Act, show that 3,558 samples of butter were analysed by the public analysts, and that 551 were adulterated. It does not appear from the Reports how many of these samples were detected by means of the Margarine Act; but generally the Board has no information as to this.

FREE RE-DIRECTION OF LETTERS.

MR. WEBB (Waterford, W.): I beg to ask the Secretary to the Treasury whether there is any reason why effect should not forthwith be given to Section 3 of the Post Office Act, 5th August, 1891, for the free re-direction of letters?

No reply was given to this question at the time it was submitted, but later on

*SIR J. FERGUSSON rose and said: I must apologise for not answering the question of the hon. Member for West Waterford. I did not reply to it at the time because it was not in my name. I may state that the question is still under consideration.

HIGHER EDUCATION IN SCOTLAND.

MR. CRAWFORD (Lanark, N.E.): I beg to ask the Lord Advocate if he will give the names of the burgh schools, endowed schools, and private schools referred to in the Memorandum on the proposed grant for higher education in Scotland, and mention the counties in which they are situated? I would also ask him whether he will supply copies of the Memorandum to those hon. Members who have not been furnished with them?

*SIR C. J. PEARSON: In reply to the last part of the question I may say that I was unaware that the copies of the Memorandum had not been supplied to all the hon. Members who required them. In reply to the first part of the question I think the hon. Member will find the information he requires in that with which I have already provided him.

MR. BUCHANAN (Edinburgh, W.): It would be impossible to properly discuss the Bill to-night unless we

had this information. I would ask the right hon. Gentleman how many burgh schools, endowed schools, and private schools are referred to in the Memorandum?

*SIR C. J. PEARSON: The information I have supplied contains all that the hon. Gentleman requires.

MR. BUCHANAN: I hope we shall be furnished with this information before we discuss the question.

*SIR C. J. PEARSON (later): I am now in a position to answer the question. I will not read the names of the burgh schools, but will give the endowed schools and private schools. The endowed schools are: In Aberdeen, the Robert Gordon College; in Ayr, Beith Spiers School; in Clackmannan, the Dollar Institution; in Edinburgh, Daniel Stewart's College, George Watson's Boys, George Watson's Ladies, Ladies' College, Heriot's Hospital School, and Fettes College; in Fife, Anstruther Waid Academy, Cupar Bell Baxter School, and St. Andrew's Madras College; in Inverness, Inverness Royal Academy; in Lanark, Allan Glen's School, Hutcheson's Girls' Grammar School, and Hutcheson's Boys' Grammar School; in Nairn, Rose's Academical Institution; in Perth, Crieff Morrison's Academy, Perth Sharp's Educational Institution; in Ross, Tain Royal Academy; in Wigton, Newton Stewart Ewart Institution, High School for Boys and Girls. The private schools are: Edinburgh Academy, Edinburgh Institution, Merchiston Castle School, Edinburgh, St. George's High School for Girls, Dundee High School, Glasgow Academy, Kelvinside Academy, Glasgow Park Girls' School, and Polmont Blair Lodge School.

FOOT-AND-MOUTH DISEASE.

COLONEL WARING (Down N.): I beg to ask the President of the Board of Agriculture what is the present state of Glasgow, and the West of Scotland generally, with regard to the foot-and-mouth disease; and when he hopes to be able to remove the restrictions on the movement of cattle which the existence of that disease has rendered necessary?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I am happy to say that I am not aware of the existence of any case of foot-and-mouth disease in Glasgow or the West of Scotland. The restrictions imposed by the Board of Agriculture in respect of those districts have been withdrawn since April 13th last.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I wish to ask the right hon. Gentleman whether he has received any information with reference to the reports in this morning's papers as to an outbreak of foot-and-mouth disease near Sittingbourne?

MR. CHAPLIN: There has been no new outbreak in Kent, but there has been an extension of the existing outbreak in the district of Sittingbourne, where it appears to be difficult to suppress it.

THE MURDER AT KILLINKERE.

MR. KNOX: I beg to ask the Attorney General for Ireland whether Buchanan, who was suspected of a brutal murder near Killinkere, County Cavan, and who, at the Ulster Winter Assizes, was released on condition that he would at once leave the country is still at home pursuing his ordinary avocation; and, if so, what reason is there for allowing the undertaking given at Omagh to be disregarded?

MR. MADDEN: I cannot give the hon. Gentleman the information he requires.

EXTRA REMUNERATION IN GOVERNMENT OFFICES.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Secretary to the Treasury why an allowance has been made to the subordinate officials in certain Offices in consideration of the increase of hours, while it has been refused to the same class in other Offices?

SIR J. GORST: As a Committee is now considering the remuneration paid to messengers and other subordinate employees, it has been thought desirable to defer the decision upon some particular applications for additional pay for increased attendance, pending the report of the Committee.

MR. ARTHUR O'CONNOR: Why were servants in different Offices not treated in the same manner?

SIR J. GORST: If the hon. Member will specify, either publicly or privately, the particular Offices he refers to, I will endeavour to give him some information on the subject.

THE TOBACCO CONCESSION IN PERSIA.

MR. LABOUCHERE: I beg to ask the First Lord of the Treasury whether he can assure the House that no pressure is being put on the Persian Government by Her Majesty's Representative to give an indemnity to the Company owning the tobacco concession for the abrogation of the contract; that no suggestion is being made to the Persian Government to pay more to the Company than the amount of money actually expended by it, exclusive of the £300,000 paid to Major Talbot for the concession; and that all Papers in regard to this matter will be laid upon the Table of the House before the Foreign Office Estimate is submitted to it?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): My hon. Friend the Under Secretary for Foreign Affairs has promised to lay the Papers on the Table at an early day. I do not think it would be convenient, or even possible, to discuss the question until the Papers are before the House, and surely no public advantage would arise from the attempt.

MR. LABOUCHERE: Will the right hon. Gentleman state when the Papers will be laid before the House?

MR. A. J. BALFOUR: I cannot state the exact date at which the Papers will be laid before the House; that must depend upon the completion of the case; and no Papers can be produced until the case has reached a complete stage. When such a stage is reached, no time will be lost in making the House fully aware of all the facts.

MR. LABOUCHERE: I give notice that unless that stage is reached before the Foreign Office Vote comes on, I will discuss the question upon that Vote.

SCHOOLS FOR PUBLIC MEETINGS.

MR. H. GARDNER : I beg to ask the First Lord of the Treasury whether, considering the uncertainty of the date of the introduction of the Rating of Schools Bill, and the near approach of the General Election, he will introduce at once a Bill giving effect to the unanimous Resolution of the House with regard to the right of public meetings in elementary schools?

MR. A. J. BALFOUR : The uncertainty of the date which the hon. Gentleman thinks hangs over the introduction of the Rating of Schools Bill arises, as he knows, from the condition of Public Business in this House, and the same uncertainty, therefore, hangs over any other Bill which the Government might prepare on the same subject. I see no reason to depart from the arrangement come to on both sides of the House that the subject of employing schools for other than educational purposes should be associated with the particular measure to which the hon. Member alludes.

MR. H. GARDNER : I think the subject is one of great interest to both sides of the House, and I would ask the right hon. Gentleman whether, considering that the Rating of Schools Bill is a very contentious measure, and the proposal that public meetings should be held in schools is unanimously accepted by both sides of the House, the First Reading of a Bill as to the use of schools for meetings is not likely to be assented to without further discussion?

MR. A. J. BALFOUR : It is possible to bring in a Bill under the new Rules so that there may be only two speeches upon it; but the difficulty will arise at the later stages, and although the House may be unanimous as to an object to be arrived at, there may be great difference of opinion as to the method of attaining it.

THE ROYAL COMMISSION ON LABOUR.

MR. BROOKFIELD (Sussex, Rye) : I beg to ask the President of the Board of Agriculture if he can explain on what grounds, although the Assistant Commissioners to the Royal Commission on Labour have been directed to inquire into the wages and earnings of agricul-

tural labourers in the counties of Suffolk, Norfolk, and Cambridgeshire; Bedfordshire, Buckinghamshire, Oxfordshire, and Berkshire; Dorsetshire, Somersetshire, and Wiltshire, and also in Wales, the hop-growing counties of Kent, Sussex, Herefordshire, Hampshire, Worcester, Surrey, and Shropshire have been specially excluded from this list; and whether, in view of the importance of the hop-growing industry to the wage-earning agricultural community, he will use his influence to have two or three hop-growing counties included in the Reference?

MR. A. J. BALFOUR : I believe it is a mistake to infer from the arrangements that have been made that the hop-growing districts are excluded from the scope of the inquiries, or that any injustice is likely to be done to them.

WITNESSES BEFORE PARLIAMENTARY COMMITTEES.

SIR C. RUSSELL (Hackney, S.) : I wish to ask the First Lord of the Treasury whether, in view of the interest expressed on both sides of the House on the subject of the protection of witnesses before Parliamentary Committees, the Government would bring in a Bill to deal with the matter, or give facilities for the discussion of the two Bills which stand on the Paper for Second Reading?

MR. A. J. BALFOUR : I must thank the hon. and learned Gentleman for having given me notice of this question, and say, that while I quite recognise the importance of the point raised by the Bill of the hon. Member for Chester, and by that which the hon. and learned Gentleman has himself introduced, I do not think it would be possible to divert Government business in order to give time for the discussion of these measures, important though they may be. It seems to me that the House might adequately deal with the matter if it would take the Second Reading of the Bill without opposition or prolonged discussion on the understanding that both, when read a second time, should be referred to a Select Committee. The question is one of great importance, because it cannot be disguised that while both Bills in terms preserve the jurisdiction of the House, the practical result of passing

them would be to destroy that jurisdiction. Further it is proposed to give to witnesses before Royal Commissions, and before Parliamentary Committees, a kind of protection which has never yet been thought necessary for witnesses before the ordinary Criminal and Civil Courts. If the House will accept the suggestion I throw out it may be a solution of the difficulty agreeable to all and would not involve any loss of Parliamentary time.

SIR C. RUSSELL: I personally will accept the proposal of the right hon. Gentleman, and would remind him that, as regards witnesses examined before Courts of Justice, the Judges possess powers to protect them by processes for contempt of Court.

FIGHTING AT TONIATABA.

MR. OSBORNE MORGAN: I wish to ask whether the Government have any information confirmatory of that which appeared in a telegram in the second edition of the *Times* with reference to occurrences at Toniataba?

BARON H. DE WORMS: Toniataba is a town near the banks of the Gambia, which was held by a sub-chief of the Marander, Fodey Cabba, against whom, it will be remembered, it was recently necessary to send an expedition. On the 15th March a detachment of West Indian troops under Major Madden was sent to Toniataba to summon the chief to surrender. This he refused to do, and Major Madden attempted to force his way into the town, but failed to do so. It accordingly became necessary to reduce the place; and, as soon as the Tambai expedition at Sierra Leone was over, arrangements were made for effecting this object. The following telegram has been received from the Administrator—

"Bathurst, 1st May.—Toniataba stubbornly defended, but completely destroyed 28th April. Officer commanding sending full particulars."

The Admiralty have also received a telegram from the Senior Naval Officer at Bathurst, also dated 1st May.

"Toniataba destroyed. Naval brigade under Wilkin landed. Casualties: No. 149, 266 William Godley, seaman, severely wounded; doing well."

Mr. A. J. Balfour

IRISH EDUCATION BILL.

SIR J. McKENNA (Monaghan, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the strongly expressed wishes of the Irish Catholic Hierarchy, Her Majesty's Government will consent to withdraw from the above Bill the clauses for the enforcement of the compulsory attendance of children at the free schools, in order that sufficient time may elapse after the passing of the Bill to test whether the natural desire of Irish parents for the education of their children is sufficient to induce a full attendance without compulsion?

*MR. JACKSON: I do not know whether the hon. Member has read the Education Bill, but I think he will find that the provisions of the Bill will afford a sufficient time to test whether the natural desire of Irish parents for the education of their children is sufficient to induce full attendance without compulsion. The compulsory provisions of the Bill are not to come into operation until the 1st January, 1893, and by Clause 3 of the Bill the Local Authority may appoint officers to assist the School Attendance Committee. I presume the number of officers which the School Attendance Committee would deem it necessary to appoint would be largely determined by the fact of the attendance being satisfactory or unsatisfactory. I think, therefore, the hon. Member will see that his desire has been already anticipated.

BUSINESS OF THE HOUSE.

MR. JOHN O'CONNOR: Can the right hon. Gentleman the First Lord of the Treasury inform the House when the Irish Education Bill is likely to come on for discussion?

MR. A. J. BALFOUR: The Second Reading will be taken as soon as possible; but it cannot come on until the Small Holdings Bill is out of Committee.

MR. SEXTON (Belfast, W.): Can the Government lay before the House Returns relating to education in Ireland?

*MR. JACKSON: I am told that the Returns which the hon. Member asks for would involve a great deal of labour on teachers and on the Department,

and would take a long time to prepare. If, notwithstanding that, the hon. Member still desires to move for them, there will be no objection to his doing so.

MR. SEXTON: We should like to have the full Returns; but, in the meantime, could the Government not supply us with the essence of the information?

*MR. JACKSON: It would have to be derived from the school teachers, and it would take a long time to prepare.

MR. JOHN O'CONNOR: I desire to ask the First Lord of the Treasury whether as the people of Ireland take the deepest interest in the Irish Education Bill, and no interest at all in the Local Government Bill, and having regard to the nearness of the General Election, he will so arrange business that he can bring on the Education Bill before the Local Government Bill?

MR. A. J. BALFOUR: I can assure Representatives from Ireland that if they will show practical interest in the passing of the Bill by abstaining from the discussion of it at very great length, there will be no difficulty in bringing the discussion to a close before the General Election.

MR. JOSEPH BOLTON (Stirling): May I ask the First Lord of the Treasury when the Scotch Private Bill Procedure Bill will be taken?

MR. A. J. BALFOUR: It cannot be taken until after the Second Reading of the Irish Local Government Bill.

MR. SEXTON: I wish to ask the right hon. Gentleman whether he has considered the question I raised some time ago as to the separation of the contentious from the non-contentious portions of the Education Bill, in order to facilitate its progress through the House?

MR. A. J. BALFOUR: If I understand it, the hon. Member's proposal is that we should separate that part of the Bill dealing with compulsion from the part relating to relief from school fees. I think my right hon. Friend the Chief Secretary for Ireland (Mr. Jackson) has more than once explained this Session, as I explained last Session,

that he could not see how public interests would be served by losing an opportunity to pass the whole of this measure, which I believe a great number of those interested in Irish education desire to see become law.

MR. KNOX: Can the right hon. Gentleman say what will be the Order for to-morrow?

MR. A. J. BALFOUR: That, of course, depends upon the progress made to-night. If, as I hope, we pass the Committee stage of the Scotch Bill, I think the first Bill for to-morrow is the Criminal Evidence Bill.

NEW MEMBER SWORN.

Thomas Osborne, esquire, for the County of Essex (Mid or Chelmsford Division.)

MESSAGE FROM THE LORDS.

Electric and Cable Railways (Metropolis)—That they do propose that the Joint Committee on Electric and Cable Railways (Metropolis), do meet in Committee Room A, on Monday the 9th May, at Twelve o'clock.

Lords' Message considered.

Ordered, That the Select Committee appointed by this House to join with a Committee of the Lords on Electric and Cable Railways (Metropolis), do meet the Lords Committee in Room A, at Twelve of the clock, on Monday the 9th day of this instant May, as proposed.

Message to the Lords to acquaint them herewith.

ORDERS OF THE DAY.

EDUCATION AND LOCAL TAXATION RELIEF (SCOTLAND) BILL.—(No. 208.) COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

*MR. BUCHANAN (Edinburgh, W.) moved, in page 1, line 16, after the word "paid," to insert the words "in

the financial year ending the 31st day of March next after the passing of this Act." The effect of this Amendment is to make this measure only operative for one year, and the means by which I propose to carry out that object are taken, as far as I can do so, from the words of the Probate Duty Act, 1888. That Act, I think, forms a precedent for the action which I desire the Government to take in regard to the present Bill. When this system of allocation was first initiated, there was at the outset a temporary allocation, and the following year a more satisfactory allocation. Therefore, I venture to think we have a precedent for the course I now propose. It is known to every Scotch Member that the mode of distribution which has been proposed is not thoroughly satisfactory to any of the parties concerned. Indeed, we cannot think that the Government have themselves satisfactorily thought out their own proposals. Of this it would have been impossible to have a better illustration than the incident which has occurred in regard to the Returns asked for by the hon. Member for Lanark (Mr. Crawford). The Memorandum, on which it is expected the Education Office Minute will have to be based, has only been issued within the last few days; and it refers in somewhat vague terms to a number of schools to which this grant is to be applied. The hon. Member for Lanark moved for a Return of these schools on Friday; and as he could not obtain a Return in time for this discussion, he gave notice of a question to the Lord Advocate, who tells us that he has given my hon. Friend the information. But that information has not been given to the House—he (the Lord Advocate) has not even got a copy of the information himself. I think that single illustration is sufficient to show how crude and unfinished are the proposals of the Government. Another reason why the allocation should be a temporary one is that we are in the last Session of a dying Parliament. An objection is that it will destroy the financial arrangements of the various Local Bodies in Scotland. As a matter of fact, it is perfectly obvious that the present system of allocating by Bill

leads to annual changes, and thus has no permanence. Then I take a fundamental objection to the whole financial system of these grants. I think we ought to return to the system which was in vogue before 1888. As hon. Members are aware, there were before that date large grants to Local Bodies. They were invariably given by annual grants on the Estimates, and that is the right method by which Imperial aid should be given. It by no means follows that aid given from year to year is not as permanent in character as the grants which have been given under this new system since 1888. I think that if the Government could see their way to accept this Amendment they would greatly facilitate the progress of their Bill. The Lord Advocate is well aware of the strong objections taken by different sections in this House to almost every part of the measure. These, I believe, would be considerably modified by the acceptance of the Amendment, which I beg to move.

Amendment proposed,

In page 1, line 16, after the word "paid," to insert the words, "in the financial year ending the thirty-first day of March next after the passing of this Act."—(Mr Buchanan.)

Question proposed, "That those words be there inserted."

*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): While anxious to yield to Amendments which will remove the opposition to this Bill, I must say that the proposal is one to which the Government cannot accede. The Government came to the conclusion that it was desirable to embody in the Bill the allocation of this money, and, looking to the subject-matter, that considerable elasticity should be observed as regards some portion of the money. We demur altogether to the suggestion that the Memorandum which has been mentioned, or the information I have just read out, has anything to do with the question. The question is whether this Bill is to be confined to the present

Mr. Buchanan

financial year, or whether it ought to be extended beyond it, as we desire it should. The Memorandum has not been out merely for two or three days, as my hon. Friend (Mr. Buchanan) suggests; it has been before the country since the 15th of April, when it was published in the newspapers. We think it is desirable that the Local Bodies who have the administration of the various parts of this grant should know where they are from time to time. We think, also, that any temporary scheme for the allocation of this money would paralyse the efforts of the localities to do what they can with the fund, and, further, there would annually be strife and turmoil in these various localities which would go far, in my opinion, to upset any usefulness this scheme would otherwise possess. I believe the first persons to deprecate such an alteration as the hon. Member proposes would be the localities and the bodies themselves, because we all know there has already been a considerable amount of contention as to the proper allocation of this money. I think, however, that public opinion has now settled pretty fairly in the main in favour of the Government proposals. This Amendment would foster such continuous local agitation and uncertainty that the proposals of the Bill would be practically rendered ineffectual.

MR. CRAWFORD (Lanark, N.E.): I hope I may say, without any discourtesy to the Government, that this Bill—perhaps excusably on account of the novelty of the task—is a measure hasty and unconsidered in character. It is a crude and confused proposal. While we are prepared to vote the money according to the scheme for the present year, we are not, however, prepared to establish a plan which can only be reversed with the sanction of the House of Lords, and by the passage of a Bill through all its stages. This proposal to devote a considerable sum of money for secondary education is new to Scotland, and, therefore, it is of the utmost importance that we should proceed on the right lines. In this connection I think I may say that by the representations which have been made the Government must have been

considerably shaken in their conclusion that the lines of this Bill are the right ones.

DR. CLARK (Caithness): I am very much opposed to this allocation becoming permanent. In the first place, Scotland never asked for this system which the Chancellor of the Exchequer and the Government have adopted. I believe the large majority of the people of Scotland are opposed to this mode of giving the grant. What we want to do is to tax the land, and by this and other means to give Local Bodies the product, so that they may further lighten the burden of the ratepayers. We have already three different systems, and the next Government will have again to consider the question when it has to inquire as to the relations between the Imperial Exchequer and the Public Bodies. As to the £30,000 for the Universities, we have had no evidence submitted that the Universities want the money. I think the information ought to have been laid before us, and that a similar course ought to have been observed in regard to the grant for secondary education and the other sections. We have not any adequate information before us as to the wishes of the Scotch people on these matters, and under such circumstances the only wise course is to prevent the bodies who are going to get this money thinking this scheme is, first, one that the Government have well considered; secondly, that it is one Parliament has well considered; and, thirdly, that it is one which has every chance of being permanent. The Local Bodies who get the money will only be able to use it for lessening the rates. Therefore, if you give this money to the Local Bodies for one year or for five years, they will not be able to do any special good with it unless the character of the Bill is changed and the Local Bodies are given a free hand. It would save time, and the Government would be able to get this Bill through easily if they were not to insist upon carrying out the policy of preventing the House of Commons from settling these questions without the intervention of the House of Lords. I think the course the Government are taking in connection with this and other

Bills of the same character—of preventing the House of Commons having the power of determining these questions of finance and giving to another House the power they should not have, is contrary to the Constitution, and we should take every opportunity we can of protesting against it.

(5.3.) MR. ROBERTSON (Dundee): I must confess I think the course the Government seem inclined to take in this matter is one which is open to very grave suspicion. Here is a large sum of money which is taken from the Imperial Exchequer, and the question is: How can it be best disposed of? or: What is the opinion of Scotland with regard to it? For my own part, I do not know what the opinion of Scotland is on the subject, and I do not believe it has yet been ascertained. We who sit on this side of the House are not at the present time plenipotentiary representatives of Scotch opinion on this question. We are within measurable distance of a Dissolution, and this is one of the things which might be properly reserved for an expression of public opinion on that occasion. For that reason alone I shall be prepared to vote for my hon. Friend's Amendment, which proposes to limit this Bill to one year. Now, what is the answer of the Lord Advocate? Really, so far as I can make it out, it amounts to this—that the Local Bodies will be embarrassed unless they can rely on this scheme being a perpetual one, and that it would be inconvenient for the Local Bodies to have the administration of this fund unless they can rely upon it being permanent. I should like to hear if that is not so.

SIR C. J. PEARSON: That is one point.

MR. ROBERTSON: Well, I cannot reconcile that with the language of the Bill. It appears to me that the Bill contains a distinct warning to the Local Authorities that the Government do not regard this as a permanent scheme, but as a provisional scheme. If the Committee turn to Clause 2—the Distribution Clause—of this Bill they will find these words of warning: "Be it enacted that until Parliament otherwise determines" this distribution is to take place. It is not

to be a perpetual distribution, but is only to take place "until Parliament otherwise determines." Why were these words inserted? I cannot suppose for a moment that the Government in using them intended nothing but a piece of impertinent superfluity. Now, Sir, when we come to these words I shall propose an Amendment which, if this Amendment is lost, may meet the views of some of my hon. Friends, although I am afraid it will meet with some resistance in the Conservative instincts of hon. Members opposite. The Amendment I shall move is to leave out the word "Parliament," and insert the words "House of Commons as hereinafter provided." The scheme then would be this: that the Bill will have effect until the House of Commons, as hereinafter provided, shall otherwise determine. Then this House would have the sole means of deciding what is to become of this money. Otherwise, the Bill is open to the great objection that if any change is decided upon by the Scotch people at the next Election, we should have to go to the House of Lords and ask them to amend the Act. I do not think that is a position we should be put in, and I will join in any Amendment which will have the effect of avoiding that result.

(5.12.) MR. CALDWELL (Glasgow, St. Rollox): Under this Bill a sum of money is voted by the House of Commons, and I think it is a constitutional question that all moneys so voted for Imperial purposes should be under the control of the House of Commons alone. This money will form a charge upon the Imperial Revenue of the country, and the question is: Who is entitled to see to the application of moneys which are levied by Imperial taxation? Now, there is no better known constitutional rule than that the House of Commons, which raises the money annually, is the Body entitled to review and consider annually how that money is to be applied. As the Bill now stands, the House of Commons will not have the sole control of determining how the money is annually to be applied, but the House of Lords will have it in their power to practically control the mode in which that shall be done.

Then it is said that these Local Bodies wish to have some idea as to the permanency of the grant. Well, nothing was more common up to the time that the present Government came into Office than that all grants to Local Bodies were annually laid before Parliament, and annually reviewed. There are the educational grants. Has there ever been any doubt as to their permanency? Have not schools been built, teachers engaged, and heavy expenditure of various sorts incurred on the faith of these grants; and who would suppose that they would be withdrawn while serving a useful purpose? And if in the future any grants should not be serving a useful purpose, why should they not be withdrawn? What is the purpose for which this money is to be applied according to the Government Bill? It is to relieve local taxes, and not to enable the Local Bodies to execute new works or undertake any additional responsibility. There is, therefore, no force in the argument of the Lord Advocate that the Local Bodies will be inconvenienced if they are not led to suppose the grant is of a permanent character. Then it is said, if this grant is an annual one, it will be a subject of strife. Have we any strife upon the educational grants, or the Police grants, or any other grants? Nothing of the kind. We have only that legitimate criticism and discussion which ought to take place in this House with regard to all expenditure; and it is only right, if the money has to be raised annually by taxation, that this House should have the opportunity of discussing whether the money is being usefully applied or whether it might be more usefully applied in another direction. Then we have the important fact to consider that Scotch opinion is not yet clearly pronounced as to the method of appropriating this money. I believe the Government like to act on precedents. Well, all the precedents relating to Scotch grants are that the grants are of one year only. That being so, I contend that there is no good reason why this House should not have the power of fully discussing annually the grant proposed in this Bill.

(5.19.) MR. ESSLEMONT (Aberdeen, E.): I am bound to say that the proposal to vote this grant in a permanent way is unprecedented. Nothing of the kind exists in this House or elsewhere. The right hon. Gentleman the Lord Advocate has not, I am bound to say, answered my hon. Friend the Member for Edinburgh (Mr. Buchanan). That is to say, he has not given any valid reason, as far as I can see, for making this a permanent grant. He says if it were not permanent an agitation would be carried on. Why, Mr. Courtney, should an agitation be carried on if this proposal is entirely satisfactory, as he says it is, to the people of Scotland? If this is the best proposal, and is satisfactory to the people of Scotland, it will be impossible to carry on an agitation with reference to it. But if, as I believe to be the case, the mode of applying the money does not meet with the wishes of the Scottish people, then I think it will be well that some agitation should be stirred up, and the matter re-considered. In my opinion, this Bill as it now stands will require a great deal more discussion than would be necessary if it were to be only experimental and for not more than a year. If we are to discuss the great principle as to whether this money is to be applied to relieve the poor rate, the council rate, the city rate, for education or other purposes, upon a permanent basis, the conditions of which are unalterable unless we go to the House of Lords, then it will be necessary to continue this discussion at much greater length. I would press upon the right hon. Gentleman that the amount of information he has placed at the disposal of the House is entirely insufficient to justify this grant being made on a permanent basis, and that it would be in the interest of all concerned to have further information as to the feeling of the people of Scotland before asking the House to agree to a permanent settlement of the question.

*(5.23.) MR. JOHN B. BALFOUR (Clackmannan, &c.): I submit that the Government have not shown sufficient reasons to justify them in departing from the ordinary course in respect to this grant. It is deviating from the constitutional principle to with-

draw from the House of Commons the sole power of reviewing yearly any grant, and making the appropriation of money raised by taxation dependent upon the will of another House. Therefore I apprehend that, unless it can be shown that there is either some very strong convenience or some reason of principle, the Government should adhere to the ordinary course. Now, I listened very attentively to what my right hon. and learned Friend the Lord Advocate said, and I think it resolved itself into this: that it would be very inconvenient for the recipient bodies not to know what they had to rely on. Well, I quite appreciate that consideration as far as it goes; but how far does it go? It does not go very far, as all experience shows that a grant made once, particularly a grant for educational purposes, is not withdrawn; if the money is well applied there can be no fear of a meddlesome interference on the part of Parliament with an appropriation of money approved by experience and by the will of the people. But the matter does not rest there, because not only have the Government not shown any sufficient reason for their departure from constitutional usage, but there are some considerations in this case which make in the other direction. This is certainly a proposal of a somewhat novel character, and in regard to which the country has not had very much time for making up its mind and communicating with its Representatives. It has been said—and said truly—that there is a good deal of difference of opinion as to how this money should be appropriated. I feel sure that every one of us who represent Scotch constituencies has been receiving a number of communications of an opposite character to the proposals of the Lord Advocate, and even amongst ourselves we find that a good deal of difference exists as to the best way of using this money. This should be one of the matters on which, at the General Election, an opportunity should be afforded to the constituencies of expressing their views; and, after all, in the application of public money, the deliberate judgment of the constituencies ought to be the guide of this House. We on this side of the House do certainly

attach great importance to this matter, not only as involving a constitutional principle, but as also involving considerations special to this Bill of a character which, I trust, the Government, on mature consideration, will yield to, and limit the operation of the Bill to one year only.

(5.27.) MR. SINCLAIR (Falkirk, &c.): This is an equivalent grant Bill—an equivalent of what has been granted to England and Wales, and will be granted to Ireland, for assisted education. I must say I should have preferred that the terms of the Bill had been, with regard to the Educational Department, so much per head instead of a particular sum as mentioned in one clause of the Bill. But I feel sure that, assuming the amount is increased in England, we in Scotland shall be able to get a further sum in the future, either from the Estimates or elsewhere, and I believe the Government are following a reasonable precedent, such as was adopted in the case of the measure introducing assisted education for England, in their action with respect to this Bill.

(5.29.) MR. HUNTER (Aberdeen, N.): The Lord Advocate in his remarks quoted the opinions of Local Bodies in Scotland, and he said that several of these Local Bodies, on this question at all events, might be taken to represent the opinion of the people. Sir, I can only speak of Aberdeen, but there the Local Bodies speak with a divided voice. The Town Council by a large majority passed a resolution protesting against any portion of this money being appropriated to the relief of the rates. Another body—the Trades Council—passed a unanimous resolution that, for whatever purpose this money is devoted, it should not go towards the relief of the rates. Now, Sir, upon a question of this kind the Trades Council is a better indication of the opinion of Aberdeen than the opinion of the Town Council. Why should the Government object to the Amendment of my hon. Friend? All the Government can do by this Bill, which they could not do if this Amendment is carried, is next year to interpose the veto of the House of Lords between the people of Scotland and the realisation of their wishes. We

are going to have a General Election, and I suppose the hopes of the Government to support from the people of Scotland are of a somewhat shady character. They expect that when they come back they will be no longer supported by a majority, and so they wish now to give to the House of Lords a veto in this matter. Now, what does this Bill do? It is a Bill that allocates money obtained from the Imperial taxes. These taxes come mainly out of the pockets of workmen. But how do the Government propose to distribute the money? Almost entirely into the pockets of the owners of property. Do the Government think they are protecting these interests by interposing the veto of the House of Lords? Do they imagine they are giving any security beyond the security which exists now? The right hon. Gentleman is entirely mistaken if he thinks that we shall rest satisfied with the distribution of the money. As a representative of the working people I say that all those who represent the interests of working men in this House will come back after the General Election determined that this disgraceful system of raising money which is not required for Imperial purposes, but is merely taken out of the pockets of the poor, and put into the pockets of the rich, shall be stopped. There is a special reason, arising out of the Memorandum which has been circulated with reference to this Bill, why any attempt to stereotype this Bill is as foolish as can be. One of the proposals of the Government is to give £60,000 to secondary education, and I know many people in Scotland entertain great doubt as to the propriety of employing public money for the purposes of secondary education. The reason of the doubt is that secondary education really means the education of the children of middle class people who can well afford to pay for it. Of all the schemes that have ever been suggested to determine the allocation of money, that made by the Government in this Memorandum for secondary education is absolutely the worst. It is one which I venture to say will not meet the view of the friends of education in Scotland.

It is not calculated to promote education, and, so far as I can understand, it only makes it a little cheaper for rich people to get their children educated than it is at the present moment. It is not a scheme to improve education, and least of all is it a scheme to enable the poorer classes to get the benefits of education. Is it right or reasonable that the Government should attempt to stereotype a crude and ill-considered scheme of this kind which has not received the support of any educational authority, and against which protests are rising on all sides? This question of secondary education is complex and difficult, and requires a great deal of consideration and inquiry. I never was unprepared to give a reasonable amount of public money to secondary education on proper conditions being applied, but to my mind the essential condition is, that you should provide an educational ladder by which the children of poor men may be able to get that secondary education, equally with the rich. If you open up secondary education to all, I do not even grudge the cheapening of education to the higher classes. I do not wish to regard the subject in a niggardly spirit, but in the whole of this scheme the Government do nothing for the poorer classes, and for education, as distinct from fees, it does nothing. Surely, under these circumstances, the Government could consent to limit the application of the Bill for one year, and even if the Government were to go further and suspend the allocation of this money until a better scheme is devised—until they have consulted with the Town Councils, the County Councils, and the School Boards, and endeavoured to formulate a proper scheme—I would support them. Under present circumstances, however, I think there is a very strong reason why we should endeavour to prevent the allocation of this money in the way proposed by the Government.

(5.35.) MR. BARCLAY (Forfarshire): So far as I have been able to discover, the opinion of Scotland is generally in favour of the proposals of the Government in this Bill, and I think I may refer in support of that statement to the Resolutions passed by public bodies all more or less in favour

of those proposals. I must disagree with my hon. Friend (Mr. Hunter) as to the value of various opinions. I prefer the opinions and resolutions of Public Authorities to those of self-elected bodies. I think, further, that it is very necessary that this Grant should be of a permanent character. We know very well that if an Act of Parliament is permanent, the House of Lords or the House of Commons can deal with any of its provisions that do not prove to work satisfactorily, and I think my hon. Friend is unnecessarily alarmed about the House of Lords. I do not think there is any reason to anticipate that the House of Lords would take the unprecedented step of interfering in a matter of this kind, and if they did, it would provide a very strong argument in favour of the abolition or reform of that House, which so many Gentlemen on this side profess to desire. One reason why this measure should be of a permanent character is that Local Bodies, knowing that the grant is to be reasonably permanent, will thereby be enabled to make better use of the money. Another reason is, that the Town Councils, and, I hope, also the County Councils, will be able to apply this money not only to objects that are absolutely necessary, but also to securing the comfort of the people. I should be prepared to support any proposals in this Bill to extend the scope of Town Councils and County Councils in dealing with the money at their disposal. I think Town Councils might do something in the way of making provision for the comfort of the people under the provisions of the Public Health Act, and I should be very glad if the Government could confer corresponding powers on the County Councils. I have recently had the advantage of being amongst my constituents, and though I have received many representations in support of this measure, I have not heard a single objection to it. I cannot understand my hon. Friend (Mr. Hunter) when he says that this money will not be disposed of for the benefit of the working people in the burghs, because, in point of fact, in all the burghs the working

people pay almost all the rates. In the burgh represented by the hon. Gentleman I believe the occupiers of the houses pay four-fifths of the rates, and in the Burgh Police Bill, which is now being urged through this House, the proposal is made that all the rates, except the Sewer Rate, shall be levied upon the occupiers. Consequently the whole of the money that is given by this Bill to relieve the rates will go to relieve the occupiers, and the poor men will relatively get their fair share of relief. Of course, if it is nothing that the working people should have two-pence or threepence taken off these rates, it follows from that argument that it is nothing to the working classes if they have a penny, or two-pence, or threepence put on. I hope the Committee will support the Government, and I hope the Government will give the County Councils greater scope in dealing with the money. I think the proposals with regard to secondary education will require a good deal of discussion and some explanation, but we can wait for that till we come to that part of the Bill.

(5.40.) MR. MARJORIBANKS (Berwickshire): It is rather amusing to notice how the Government rely on buttresses on this side of the House rather than upon their own immediate followers who sit opposite. The only words we have heard in opposition to the Amendment of the Member for West Edinburgh (Mr. Buchanan) have proceeded from the Member for Falkirk (Mr. Sinclair), and the Member for Forfarshire (Mr. Barclay). But it seems to me that all the speeches that have been delivered, have been beyond and beside the question raised by this Amendment. The hon. Member discusses this Amendment as if it referred to the Equivalent Grant, whereas it refers to the Fee Grant, which is a different thing, and is applied in a different manner. I think one great argument in favour of limiting this Fee Grant to a single year is, that in Scotland we are not treated with regard to this grant in the same way as the people in England are treated. In English schools 10s. per. head is paid for the children, whilst in Scotland we are paid in proportion to the attendance in England, and as the attendance in the English

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schools rises and falls, so we in Scotland get a larger or a smaller sum. That is all very well. It may be to the advantage of Scotland to have this money dependent upon the attendance in England, but whether it be to our advantage or not the distribution rests upon a bad principle, and what I do claim is, that we in Scotland should have our fee grant money distributed in proportion to the attendance of our Scotch children.

THE CHAIRMAN (MR. COURTNEY, Cornwall, Bodmin): Order, order! The subject to which the right hon. Gentleman is referring will be raised by a subsequent Amendment.

MR. MARJORIBANKS: I am not discussing that Amendment at all. My object is to point out that this vicious principle which I believe is inherent in this clause is a reason for limiting this clause to a single year, and it is on that ground rather than any ground which has been put forward that I should support the Amendment of the Member for Edinburgh.

(5.42.) MR. CALDWELL: It must not be forgotten that in allocating the money dealt with in this Bill we are dealing with Scotland's own money, and the allocation of it ought to be determined by Scotch opinion. What is the competent authority to represent Scotch interests in the disposal of this money? The money is to be raised by Imperial taxation, and it is a sound principle that the party who raises the money is entitled to determine how it shall be expended. The House of Commons raises this money, and I venture to say that the Scotch Members should determine the way in which it should be spent. The Town Councils and the County Councils dispose of the money which is raised by local rates, and this House does not interfere with their spending the money they raise in any way they think proper. But when we are dealing with Imperial taxation it is this House which is responsible for the raising of the money, and it is the opinion of the Scotch Members which should prevail as to how it should be expended. Then the question arises as to who are the Members who represent Scotch opinion in this House. Is it the twelve Conservative

Members out of the 72 Members for Scotland? They do not represent Scotch opinion; they are the minority in Scotland. We are not dealing with Imperial money; we are dealing with money which, rightly or wrongly, the Chancellor of the Exchequer has allocated to Scotland, and it is a most outrageous thing that, because the Conservatives this year happen to be the Government, these twelve Members should have the power of fixing how this money is to be determined in after years, when perhaps they will not be the Government of the country. It may be said that there are 17 Liberal Unionist Members, but even then they do not halve the representation, and it must be remembered that these Liberal Unionist Members occupy Liberal seats, constituencies which are Liberal on all other questions save the question of the Union. I contend that it is an outrageous thing that the minority should want to fix, by this Bill, not only the way in which this money should be allocated this year, but the way in which it shall be distributed in future years when they will be out of office.

(5.47.) MR. MUNRO FERGUSON (Leith, &c.): According to this Bill this money is to be devoted to certain purposes which will not be under the control or the annual review of Parliament or of the Local Authorities. The money which we are now asked to vote will not come under our notice annually, and unlike the revenue, which is administered by the County Councils and the School Boards, it will be under the control of no Local Authority. The money for education will be handed over to the Scotch Education Department to do as it pleases with, and I think we ought to have some very strong reasons for a new departure of this kind. We are going to be made the subjects of a new experiment in Scotland, and under these circumstances I think we may well be surprised at the weakness of the case which is being made out for this Bill. We have urged our objections to the financial arrangement under which this measure has become necessary, but if it were not proposed to make it permanent, if the allocation had been for one year, or had the Local Authorities been allowed

a free hand in the spending of the money, there would have been much less objection to the Bill on this side of the House. I think we ought to have some answer to the arguments we have brought forward, and I trust we shall have a strong Division in support of the Amendment which, in all the circumstances, I think very well justified.

(5.49.) DR. CLARK: I am not sure whether this is the best place to take a Division, because the proposal covers only the money devoted by Parliament to educational purposes. My hon. Friend has a similar Amendment on Section 2, and perhaps it would be better to take the Division then. We must get the money voted by Parliament, whether it is at the rate of 10s. per head, or some other equivalent; but on Section 2 we come upon the question of whether we shall stereotype the spending of the balance.

Question put.

(5.15.) The Committee divided:—Ayes 133; Noes 192.—(Div. List, No. 95.)

(6.5.) DR. CLARK: I beg to move to leave out "£265,000." This sum is calculated upon the vicious principle, introduced by the Chancellor of the Exchequer, of paying back in proportion to what he considers the sums paid into the Imperial Exchequer. I do not consider that the proportions of 11 per cent. for Scotland and 9 for Ireland are a fair equivalent, even if the Committee, which has not been appointed, had sat and the facts on which it were based were true. I propose to insert the words in the English Act, under which a grant is made of 10s. per child in average attendance. We have about 540,000 children in average attendance, and the grant at 10s. per head would amount to about £270,000, £4,000 or £5,000 more than we get under the Bill. The question affects Ireland more vitally than Scotland, as it will probably make a difference in her case of £80,000 or £100,000. The average attendance in Scotland bears a higher proportion to the possible attendance than is the case in England, and in the Bill you are trying to limit the more progressive country so far as education is concerned. It is only fair that the rule of 10s. per

head per child should apply to Scotland and Ireland. The basis you have taken for England is the average attendance, and you should take the same for Scotland and for Ireland; it is surely a more rational method of working.

Amendment proposed,

In page 1, line 19, to leave out the words "two hundred and sixty-five thousand pounds," and insert the words "ten shillings a year for each child of the number of children over three and under fifteen years of age in average attendance at any public elementary school in Scotland, not being an evening school."—(Dr. Clark.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(6.10.) MR. A. J. BALFOUR: I think the hon. Gentleman who has moved this Amendment will see that the balance of advantage is on the whole in favour of the scheme proposed by the Government. If you were carrying out in the three parts of the United Kingdom—England, Scotland, and Ireland—precisely the same object, under precisely similar circumstances, then no doubt all you would have to do is to pay the money to each country and carry out that object in precisely the same way, whether the proportion be, or be not, in precisely the relative magnitude of 9, 11, and 80 per cent. That I grant. But that is not the case in the matter of education. You are not carrying out precisely the same object under precisely the same conditions, because the conditions of Irish education are very different from the conditions of English education; and the conditions of Scotch education are very different from those of both England and Ireland. If you were to give 10s. in Ireland for every child in average attendance, you would extinguish every school fee in Ireland and would have a very great deal of money to devote to purposes wholly alien to free education. If, on the other hand, you were to give Scotland 10s. per child in average attendance, you would not give the Scotch parents the same advantage as you are giving the English parents.

DR. CLARK: I think you will find it more. On what facts do you urge that?

Mr. Munro Ferguson

MR. A. J. BALFOUR: The amount given for the fee in Scotland is 12s. per head and not 10s., so that while 10s. would be far too much to free education in Ireland, it would not be enough to give free education in Scotland. Therefore, you cannot, and ought not, to attempt to deal with the three countries, when their conditions are essentially different, as if they were the same, and the only other principle on which you can allocate the money is that which my right hon. Friend the Chancellor of the Exchequer has adopted, to pay each country in proportion to the amount of the contribution of that country to the general Exchequer of the Empire. That is the plan adopted in the Bill. If it should turn out in future that the average attendance in England were either to grow or to fall to any material extent, it might be necessary to modify the proportion of Scotland to make it bear a proper proportion to the English Grant, but you cannot treat Scotland and Ireland in this matter as if they were on the same basis as England; they are not on the same basis. The hon. Gentleman has pointed out quite truly that the difference in Scotland would be about £5,000 more than she gets under the Bill. With regard to the £265,000 dealt with in this Bill, I agree with him that it is very nearly the sum that would be given if the share of Scotland were founded upon the basis of 10s. per child in average attendance, therefore Scotland's concern in this matter is theoretical rather than practical. The case of Ireland, I am afraid to press more at length now, but in Ireland it could not be adopted, for the mere fact that 10s. is paid in England, is not sufficient reason for giving Ireland 10s. to free education, which would more than meet the cost. I hope I have satisfied the hon. Gentleman that the provision of the Bill is really based on sound principles, and that if his Amendment were accepted Scotland would not gain in the long run.

(6.18.) DR. CLARK: The present condition in Scotland is that you are paying from five to 14 years of age, and in England from three to 15; my Amendment adopts the words of the English Act, and you would, therefore,

begin to pay at three and not five, and pay till 15 and not 14. There are about 540,000 children between three and 15, and that would give us about £270,000, or about £5,000 more than under the Bill. The great bulk of the Scotch Members are content to have the same age limits as in England, but the Government are opposed to it. If you made 15 the limit, you would put more money into our pockets. Why should we not have the £5,000, because if you were to apply the same principle to Ireland she would get £80,000 or £100,000 more.

(6.20.) MR. CALDWELL: I am very glad the First Lord of the Treasury has intervened, as the Amendment raises a very important question of policy. He says the principle of the Chancellor of the Exchequer is to give Scotland in this matter a grant for education in proportion to her contribution to the Imperial Exchequer.

MR. A. J. BALFOUR: Not a grant for education.

MR. CALDWELL: We are an integral country, and as England has got 10s. per child in average attendance, I claim for Scotland as an integral part of the United Kingdom the same grant from the Imperial purse.

MR. A. J. BALFOUR: It has a great deal more.

MR. CALDWELL: Nothing of the kind. I am dealing with the question of principle. Is Scotland to be treated in this matter as part of the United Kingdom or as a separate Kingdom? If we are a portion of the United Kingdom, and the English parent gets 10s. per child, then the Scotch parent ought to get 10s. per child. Out of the Probate Duty Scotland got 11 per cent. which is no more than our right, and if the Scotch people chose to appropriate more of that money to free education than you have done in England, they did it out of their own money, and not out of the Imperial Grant, and, therefore, when you are going to give out of the Imperial purse—a new transaction altogether—a grant of 10s. to England, you are bound, if you treat Scotland as an integral part of the United Kingdom, to give her 10s. also. In the matter of 10s., whether the total be more or less than £265,000, my contention is that

we should be treated the same as England. This is a grant out of the Imperial purse to encourage education. Is it not obvious that the grant for education is always according to the work done? If our school attendance in Scotland is large the grant is large, and if it be small the grant is less, but is always for the actual amount of work done. The Government does not pay Scotland according to the education she gives her children; but goes the round-about way of finding out the total sum England gets, and then Scotland, whether she educates few or many, is to get eleven-eighths of it. This is an attempt to stereotype the Separatist policy of the Chancellor of the Exchequer; he wishes to treat Scotland in the future not as an integral part of the United Kingdom, but as a separate nationality, under which plan England is to get 80 per cent., Scotland 11 per cent., and Ireland 9 per cent. I can see a reason why the Probate Duty should be so distributed, but this is a grant out of the Imperial purse, and a different thing altogether. Under your principle the richer country will get the most, and the poorer, which most needs help, will get least.

(6.25.) MR. HUNTER: I am glad my hon. Friend moved the Amendment that we may have an opportunity of protesting against the proportion assigned to Scotland. I do not say I quite agree with the proposal of my hon. Friend, but I shall vote against the proportion in the Bill. Four years ago we had the principle for the first time; the Chancellor of the Exchequer proposed that money be allocated to the three countries, so that England got 80 per cent., Scotland eleven per cent., and Ireland nine per cent., and that was supposed to be the proportion of the contributions of the three countries to the Imperial Exchequer. Since that time the Government has put in a Minute the grounds on which the Treasury arrived at that conclusion. The Government recognise that the House ought not to be asked to accept without inquiry the figures which they put before us, and they have for two years undertaken to appoint a Committee to inquire into the financial relations of the three countries, to

ascertain if those proportions are correct. That Committee sat for a very short time and this document was the consequence. Last year the Committee was not appointed, and now, in May, and though the Motion is on the Paper, it is clear the Government do not intend to take any practical steps to secure the appointment of the Committee, and under these circumstances I enter my respectful protest against being supposed to be bound by the provision in the Bill. We are entitled to this Committee and this inquiry, and if the proportions be found correct we shall, of course, accept them. I should like to ask the First Lord of the Treasury if there is any real intention on the part of the Government to appoint the Committee in the present Session?

(6.28.) MR. A. J. BALFOUR: My right hon. Friend the Chancellor of the Exchequer is extremely anxious to appoint the Committee, and I need not recapitulate the circumstances which have unfortunately caused the delay. As the hon. Gentleman is aware, it arose from the desire on the part of Welsh Members that the Committee should also take into consideration the financial relations between Wales and England, as well as those between England, Scotland, and Ireland. Had that difficulty not arisen the Committee would have been long ago appointed, but I have reason to hope that that difficulty may be got over, and that my right hon. Friend may be able to get the Committee appointed.

(6.30.) DR. CLARK: The right hon. Gentleman has not given us any explanation, especially as to these words which are placed in brackets. Are we to understand that what practically will be done in future will be this, that a certain sum shall be placed on the Estimates for education in England, and that a certain sum shall be placed on the Estimates for education in Scotland, and every year these sums may vary? Of course it is clear that, from the growth of population in England, the number of children will very much increase in England. Now, if we are defeated on this question of giving us 10s. per head, we will only have eleven per cent. every year. The result will

be that progress will be hampered and hindered in Scotland, because I am sorry to say that in this matter England is not so progressive as Scotland.

(6.31.) MR. HUNTER: I wish to understand the announcement which the right hon. Gentleman has made with regard to the Committee. I dare say we all know that the reason why the Committee was not appointed was because it could not be appointed without a Debate; and the Government have declined hitherto to afford time for a Debate to take place. Do I understand now that the Government intends to bring forward this Motion at a time when it can be discussed and the decision of the House taken upon it?

(6.32.) MR. A. J. BALFOUR: It is the hope of the Government to be able to find some reasonable time for the discussion, so that the sense of the House may be taken on the Motion. Of course it would be in the power of the hon. Gentleman and his friends, if they were so disposed, to render the Motion inoperative and useless by prolonging the discussion after twelve o'clock. But I am anxious, as well as my right hon. Friend the Chancellor of the Exchequer, to afford some brief amount of time for the purpose of discussing the Motion.

(6.33.) MR. BARCLAY: With reference to the explanation which has been given, I must say that the words of the clause are very obscure, and I should like to be assured that the Government propose to give the same percentage to Scotland as is provided in the proposals of 1884.

MR. A. J. BALFOUR: That is so.

(6.34.) DR. CLARK: I am unable to withdraw my Amendment; in the first place, because I should not like to lose £4,000 or £5,000, and, secondly, because I am unable to modify the form of the Scotch Education Committee. I have, besides, another object in this Division, and that is that the sum should be paid for children over three and up to fifteen, instead of, as is proposed, for children over five and up to fourteen.

(6.35.) MR. A. J. BALFOUR: There is no limit with regard to Scotland such as the hon. Gentleman supposes. There are no limits in Scotland, either superior limit or inferior

limit. There is no limit of age at all. Fifteen is not the limit; and therefore the condition of things in that respect is better even from his own point of view than that which he desires to set up.

(6.36.) DR. CLARK: The sum to be paid per head in England is for children from three to fifteen, whereas in Scotland it is only for children in attendance from five to fourteen—unless it was changed this year.

(6.35.) Question put.

The Committee divided:—Ayes 178; Noes 132.—(Div. List, No. 96.)

(6.48.) DR. CAMERON: I beg to propose as an Amendment, in page 1, line 25, after the word "Parliament," to insert the words—

"Provided always, that no fee grant shall be paid to any School Board in respect of any school in which fees shall be exacted from scholars between five and fourteen years of age."

I think that amongst the great majority of the Scotch Members it will be admitted that the money given to Scotland is, in the first place, to be applied to the freeing of our system of education in our public schools. In Scotland there are some 3,100 public schools. There are 42 public schools in which fees are charged, and which obtain a free Government grant; besides there are some 15 schools which charge fees, and receive no grant. What I contend is that on the present occasion, when a large sum of money is going to be given to secondary education, the best use that can possibly be made of it is to apply the total, or a portion of it, in freeing these schools. Of the 42 fee-paying schools throughout Scotland, there are seven or eight existing in Glasgow; and the rest are to be found in the towns, which are well provided, as a general rule, with the endowments for secular education. These fee-paying schools in Glasgow are supported by the ratepayers at a cost of some couple of hundred thousand pounds, or a quarter of a million sterling. The sites on which these and are situated in the order to provide for the wants of the respective and now they are not carried the purposes for which they

were built. They are carried on as genteel academies, and the parents living in the districts near them who cannot afford to pay fees for their children, are compelled to send these children often long distances to inferior schools in order to get that education, for which the ratepayers have provided these schools at their own doors. If this scheme were adopted we should have some seven or eight very excellent secondary schools at once thrown freely open to all and sundry. As it is at present, and under the provisions of this Bill as it stands, I cannot see what earthly good can be done to Glasgow by any paltry portion of this grant. I propose then that the fee-paying schools in Glasgow, and throughout the country generally, which are to be found chiefly in the towns which are well supplied with endowments for the purpose of secondary education, should be thrown open free, so that the people living in the neighbourhood, who are at present obliged to send their children to inferior schools at a distance, should be able to send their children to these schools. In Glasgow a very large proportion of the children attending these fee schools come from outside the city altogether. There are some 600 children in attendance in these fee paying schools, for whose accommodation the ratepayers have to pay more or less out of the rates. I think this Amendment will commend itself to the representatives of burghs in Scotland. I think I could show that under the existing scheme Glasgow will obtain really a very small portion of the money to which she is entitled as her share of this educational grant. Glasgow contains about one-sixth of the population of all Scotland, and she contributes consequently about one-sixth of the £60,000 proposed to be given for the purposes of secondary education. According to the scheme shadowed forth in the Memorandum laid before Members of the House by the Scotch Education Department, Glasgow will not get more than a very small fraction of the amount which she contributes in taxation to this £60,000. This grant will not practically do her any good. As a matter of fact Glasgow is thoroughly well supplied with endowments which

are available for the purpose of secondary education. She has very rich endowments; so has Edinburgh and Dundee. Under these circumstances it is a very remarkable fact that the number of children between 13 and 16 years of age attending school in Glasgow, in all sorts of public schools, is only some 7,000. I believe the failure of a larger number of children to be in attendance at school is not due to the want of endowments, but is really due to the inability of the working classes, who form such a large proportion of the population of Glasgow, to take their children away from work at the age mentioned. The proportion of children above 14 years of age in all the schools of Glasgow is under 3,000. It appears to me that the best way of meeting the requirements of these large towns is to utilise the grant for the purpose for which it is best suited—namely, for the purpose of secondary education, devoting a portion—and I only ask for a fair portion—so far as it is necessary in the first place towards freeing these schools. That is not at all an unfair allocation. Of the balance, each of the other districts and other boroughs are entitled to have a share for the purposes of secondary education in the way best suited for their requirements.

Amendment proposed,

In page 1, line 25, after the word "Parliament," to insert the words, "Provided always that no fee grant shall be paid to any School Board in respect of any school in which fees shall be exacted from scholars between five and 14 years of age."—(*Dr. Cameron.*)

Question proposed, "That those words be there inserted."

* (7.2.) THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrew's Universities): This is not a subject which is being discussed for the first time in the House or in the Committee. It is one with which the House is familiar. The acceptance of the Amendment, however, would involve a proposition which I could hardly accept. If the hon. Member were to show, or to attempt to show, the Committee that there is any defect in the elementary education of Scotland, that would be one thing; but it is a totally different thing to say that the scheme of elementary education is not complete simply because certain elemen-

tary schools charge fees. Those are not the same things at all, and I venture to say that no hon. Member could point to any part of Scotland where the system of free elementary education is not completely operative. The contention was urged that the Local Bodies ought to have a say in this matter, and I think Glasgow was mentioned by one hon. Member as having had certain views at one time on this subject. But that is not the case now. An election of the School Board has taken place since, and the continuance of the fee-paying schools was confirmed, so far as one can judge, by a considerable majority of the ratepayers who decided that election. The outcome of this Amendment, if it were carried, would be to free certain of the schools of Glasgow which, while under the School Board, might still be regarded as higher-class schools. That is going beyond the proposition that it is desirable to free elementary education, and, so far as it goes beyond that proposition, it goes beyond the main scope of the Bill. That question could be more satisfactorily discussed on the Code than by way of Amendment to this Bill.

(7.5.) **SIR G. TREVELYAN** (Glasgow, Bridgeton): I think the right hon. Gentleman rather underrated the reasons which justified my hon. Friend in taking action in this matter. It has become a very serious matter, indeed, in consequence of the Bill of the Government. In the first place, that Bill is the final arrangement of what may be called the fee-paying side of Scotch education, and it is quite impossible to allow that final arrangement to pass without a protest against a system which many of us regard as in the highest degree unjust, and as in a high degree disadvantageous to the education of the community which is circumstanced as my hon. Friend described Glasgow as being. But there is another, and a new reason, and I think a very important reason indeed. The Memorandum on the proposed grant for higher education lays down the manner in which the £60,000 is to be distributed, and a large part of that sum, £14,000 or £15,000, is to be given to the higher departments of elementary

schools—a new institution—and for every scholar in those higher departments £3 is to be paid. Just let hon. Members consider what the position will be of the great mass of the inhabitants of a city in which this system of these privileged fee-paying schools exists. At present it is bad enough that all the educational knowledge and the enthusiasm of the district should be concentrated on one or two or three schools to which the mass of the ratepayers have no admission whatever. These schools have been built out of the ratepayers' money; but this Bill will bring a very great additional grievance, because it is these privileged fee-paying schools which will have the higher departments, and which will enjoy, perhaps, the entirety of the new grant that is given to the town; and from those schools, which are to carry the children who are receiving elementary education on to the old Scotch higher education, of which we hear so much, the great mass of the people will be excluded by the fact that they are not free schools. Now, Sir, I would just ask hon. Members to consider how this question is dealt with in another great city. There is a city in England—Birmingham—where the whole question of education has been most carefully studied. In Birmingham there is already, I believe, one school that practically is a school of a higher department. I believe they call it the Seventh Standard School. They are going to make another school of this description; but the elementary schools which educate the children in order to enable them to take their place in these Standard Schools are all absolutely free to every citizen of Birmingham. We ask that the same shall be the case in Scotch communities, and that you shall not give another £15,000 to schools which will be filled not with the children of the great mass of the community, but only with the children of those parents who can afford to pay the fees. Not only will you keep the old grievance in these towns, but you will add to it, for this grant for secondary education, which Parliament intends, I believe, to be shared by the great mass of the Scotch people, will practically be expended almost entirely upon the children of a very

small, and that the richer, part of the community.

(7.10.) MR. BARCLAY: I support this Amendment on the same grounds as the right hon. Gentleman who has just sat down. I have no objection whatever to fee-paying schools. If certain parents desire to send their children to fee-paying schools, by all means let them do so; but I cannot agree that this money, which is to be used for the purposes of secondary education for those who are unable to provide it without such a subsidy, should be devoted to the education of the children of rich people. They have the option of sending their children to free schools entirely; but if they prefer to send them to fee-paying schools, by all means let them pay the full value which the School Board thinks it desirable to exact. The result of this grant will be to reduce the fees of the higher schools from £6 and £7 to £3, which is putting the money directly into the pockets of the rich people. I think this is a very strong point, worthy of the consideration of the Government, and I should like to hear their view of the subject.

(7.15.) MR. CRAWFORD (Lanark, N.E.): This Amendment will affect these so-called fee-paying schools; that is to say, public schools mainly teaching elementary education under the School Board, but which, under the present arrangement, are permitted to charge fees. Those schools exist mainly in the City of Glasgow, and there are comparatively very few which exist in two or three of the other towns in Scotland. I venture to submit to the Committee this proposition—that, while it is necessary and desirable in rural districts to encourage the establishment of secondary departments in the Board Schools, the encouragement of secondary education in elementary schools in the large cities is not a thing to be desired. Where you have a city like Glasgow, with a large number of secondary schools—and possibly you may have more in the future—an arrangement ought to be made to encourage the children to go to those schools, and not to seek for secondary education in the elementary schools. If the clause were passed as it stands, it

would be a great encouragement to those fee-paying schools to go on to secondary education; and there would be children there who, not being able to get through a first-class secondary education, would remain at these half-and-half schools getting a half-and-half secondary education. This, in addition to the reasons already given, and to which I entirely subscribe, is why I support the Amendment.

*(7.15.) MR. C. S. PARKER (Perth): There is a good deal to be said for the contention of the Glasgow Members; but, on the other hand, I ask my Friends from Glasgow to remember that other parts of Scotland are included in the Bill.

DR. CAMERON: I specifically stated I did not propose to take away the share due to each locality. The Amendment would not be unfair to any other district.

*MR. C. S. PARKER: That was not my objection. There are elsewhere in Scotland burgh schools which are counting on this grant as the only means of carrying them on as not very ambitious secondary schools, but schools not to be dropped into the rank of ordinary schools. If you were to put the Amendment in the Bill as it stands, the effect would be to preclude any grant being given to any of these burgh schools where the children under 14 years of age are charged any fee.

DR. CAMERON: There is a subsequent Amendment providing for the matter which my hon. Friend refers to.

(7.18.) MR. J. PARKER SMITH (Lanark, Partick): I think it would be a very great mistake, and we should be doing a very rash and very unwise thing, if we were, by any act of ours, to destroy these existing schools in Glasgow and in Govan, where they are doing exceedingly good work. The circumstances surrounding them will be changed very much by the scheme of this present Bill. They have grown up under the old circumstances, and I challenge altogether the statement that they are composed of the children of the rich. They are not the richer people. They are composed of the children of people of all classes who wish to carry on their education beyond the primary elements, and to go on into secondary education. It is, as every

educationalist will tell you, of the greatest importance that these children should, from the first, have the wider curriculum opened to them. It is a misfortune to a school when children intending to go on with secondary work are not brought in till they are 13 or 14, because, while they are very well up in certain lines of work, in other lines they are very much behind the children who have been in the secondary school all the time, and they hold back the secondary school very much. This is not a new point. It has been before Glasgow and Govan—the two places most concerned—for a very long time. It was before them at the last Election, and has been repeatedly raised in the House. And yet, by very considerable majorities, the present state of things was maintained. Therefore, the injustice may seem a burning one when proclaimed from these Benches; but when you go to Glasgow and Govan you will not find the people there persuaded that it is so. I did not quite understand what the hon. Member for the College Division (Dr. Cameron) wanted to do with these schools. He said that as a result of his Amendment seven or eight excellent secondary schools would be thrown open free to all and sundry. That sounded as if he wanted to proclaim free secondary education. He spoke as if the result of the throwing open of these schools to all would be that any one would go to them, and yet that they would maintain their character as secondary schools, as if the character of a secondary school was just as much impressed upon the face of that school as the nature of its architecture. The fact of a school being a secondary school depends on the children going to it, and how long they are prepared to carry on their education there. It is not true that these schools are more expensive than other schools. I was down opening a school in Partick that is better in architecture and everything else than either the Hillhead School or the Hamilton Crescent School. The schools that exist are doing excellent work. The circumstances of these schools will be changed under the Memorandum, and it seems to me that it would be most imprudent if we were to open up this question now.

(7.25.) MR. CALDWELL: This matter lies very much in a nutshell. The Amendment has reference to the ordinary Board Schools in Scotland, and not to any secondary system that may be introduced under this Bill. What is the contention of the Amendment? It is this. School Boards in Scotland receive 12s. per child in average attendance in respect of the abolition of school fees; and what we contend is that School Boards should abolish school fees in every school for which they receive this grant of 12s. per child. It is attempted to have a roundabout method in the application of this money. We get it for each school; but instead of abolishing the school fees in a certain school the Department say—"You may abolish the school fees in some other school, and that will be held to be equivalent." That is what we object to. We say each school should stand on its own merits. It is pretended that the poorer schools benefit by the present arrangement, because in them the school fees are abolished. But observe, in England they only get 10s. per child in average attendance, while in Scotland they get 12s. for the same purpose. Education in the poorer schools does not cost more than 12s. In Glasgow the School Board want to have certain schools fee-paying for the purpose of keeping the children attending them socially distinct from the poorer classes of the community. What is the School Board of Glasgow endeavouring to do? They are endeavouring to make these fee-paying schools the schools in which secondary education is to be conducted. The result is that if you deplete the ordinary free schools of the higher subjects, and concentrate them in the fee-paying schools, you give the fee-paying schools an enormous status for the purposes of education. Everyone knows that in a school which has secondary education at the top the elementary education is better taught than in a school where no secondary education is taught. The hon. Member for Partick (Mr. Parker Smith) says some of these free schools are architecturally better; but when we talk about a school being better we refer to it as being educationally better. In Glasgow there are a great many educational endowments open to competition

by scholars in all the poor schools. The effect is that these bursaries are carried off by the scholars in the fee-paying schools, who have better opportunities of competing for them than the scholars in the free schools. We say—"If you are going to have free schools you are not to pauperise these free schools." If we are to have free schools, then the children attending them should have equal advantages for education with the children who pay fees. We wish the children in State-aided schools to have equal advantages with children of other schools. It has been stated that this is not a new question, and that it was raised at the School Board Elections. That is quite true; but the question has not been settled, and never will be settled so long as the present state of things exists. It will crop up at the General Election, and will no doubt be an important factor in it. It will certainly always be cropping up until the existing grievances are remedied. All that we ask is, that in the schools which obtain money for the abolition of fees the school fees should be abolished. It is against the fee-paying system that we protest in this Bill, and we shall continue to protest until the grievance has been remedied.

(7.32.) MR. W. THORBURN (Peebles and Selkirk): I will detain the House for only a few minutes. I object to this Amendment because in my own constituency it would kill the only higher class school that we have. We have been told that the boys who attend the fee-paying schools are the children of wealthier people. That is not the case in my constituency, because there we have made special provision, and have reduced the fee to a very small amount, so that all might have access to the school. I do not know from my own knowledge the state of things which exist in Glasgow in regard to fee-paying schools, but I have been told by Glasgow people that such schools are there absolutely necessary. The question was emphatically before the electors in Glasgow at the last election, and the same may be said with regard to my own constituency. I will only further say that I hope nothing will be done to impair the usefulness of fee-paying schools.

(7.34.) MR. SINCLAIR: It seems to be assumed that in these so-called pri-

vileged fee-paying schools all the places are paid for, but that is not the case, because I know instances in which there are a number of free places. When children are found to be very quick and able to take advantage of secondary education, places are provided for them, and they are received into the higher schools. I do not say that it is done to a very large extent, but it is done to some extent, and under this Bill it would be done on a much larger scale. I believe that it would be a great loss to the community at large if the fee-paying schools were done away with, and I take it that the proposal embodied in this Bill is to improve their efficiency, and to enable a greater number of the children of poorer parents to benefit by them than is the case at the present time.

(7.37.) MR. HUNTER: Do I understand that it is the intention of the Government that the money for secondary education shall be given to schools in receipt of the Government grant?

MR. C. J. PEARSON: If they otherwise comply with the conditions.

(7.40.) MR. BARCLAY: I do not object to the fee-paying schools, but I do object to this money for secondary education being applied to such schools for the benefit of the children of wealthy parents. That they are wealthy is manifest, or they would send their children to the free schools.

*MR. C. J. PEARSON: I am not sure that I followed the hon. Member. If I did, I think he was talking of an Amendment that might have been made on the part of the scheme dealing with secondary education.

DR. CAMERON: We have been twitted again and again that this question was raised at the last School Board Election, and that we were in favour of freeing these schools; but things have entirely changed since then. If the system of freeing these fee-paying schools had been endorsed at the Election, the expense would have been met by increasing the rates; but here you have the opportunity of obtaining £60,000, to which Glasgow contributes £10,000, and the proposal I make will not create any hardship.

MR. BARCLAY: Do I understand that any part of this sum of £60,000 will be paid for secondary education in the fee-paying schools?

Mr. Caldwell

***SIR C. J. PEARSON**: No part of the £60,000 will be devoted to the relief of elementary schools, but in so far as such schools have higher departments they may be assisted out of that money.

MR. BARCLAY: What I object to is that any portion of the £60,000 should go for secondary education in the fee-paying schools, because they are only intended for the children of wealthy parents.

(7.45.) **MR. CALDWELL**: Is it not evident that if you take away higher education from fee-paying schools, you remove the only excuse there is for fee-paying schools? You make them then nothing but purely elementary schools. It is not in the interest of education that you keep on these fee-paying schools; you do it only for the purposes of class distinction.

(7.46.) **DR. CLARK**: You can solve this question without trouble by simply transferring these fee-paying schools from the elementary class to the secondary class, when you will get a lump sum—so much a head for the children.

(7.50.) Question put.

The Committee divided:—Ayes 90; Noes 128.—(Div. List, No. 97.)

Clause agreed to.

Clause 2.

***MR. BUCHANAN**: I beg to move—

“In page 2, line 5, to leave out the words ‘until Parliament otherwise determines,’ and insert the words, ‘in the financial year ending the 31st day of March next after the passing of this Act.’”

The object of the Amendment is that the allocation of the new money should be limited to a single year. In asking this I think we have strong claims, for I think it must have been evident from the discussion which has already taken place that there is—and particularly with regard to the educational part of the scheme—great diversity of views, great uncertainty as to what the scheme really is, and ignorance as to what the operation of the scheme is to be. Therefore I think it would be a great misfortune to pass, in a sub-section of a Bill of this sort, an Act for secondary education in Scotland. It surely is only reasonable that at any rate this part of the

proposals of the Government should be made temporary in its operation. If it is found that the method works better than we anticipate, then next year the money can be devoted to the same purposes. As the matter is so important, I venture to urge the principle of my amendment on the Government.

MR. ROBERTSON: I rise on a point of Order. I have an Amendment to leave out the word Parliament. If all the words proposed in the Amendment now before the House are left out, I am afraid my Amendment would be excluded.

***THE CHAIRMAN**: It seems to me that the issues are precisely the same, that the object of the hon. Member is the object of the other hon. Member (**Mr. Buchanan**).

MR. ROBERTSON: My object is, I submit, entirely different. It is to enable the House of Commons, by Resolution, not merely next year, but any year, to provide, alter, modify, or repeal, a scheme in any way the House may think proper.

***THE CHAIRMAN**: So far as the object of the hon. Member is to preserve the freedom of the House of Commons in future years, it is the same as that of the hon. Member for Edinburgh (**Mr. Buchanan**): if the object is to give the House of Commons power to set aside the arrangement this year, it is otherwise irregular.

MR. ROBERTSON: My Amendment goes a long way beyond that of my hon. Friend. What I really want to do is to declare by this Act that it shall be in the power of the House of Commons at any time to pass a Resolution which should have the force of law, and should repeal the scheme in force under this Bill.

***THE CHAIRMAN**: I never heard such a novel suggestion. If the House of Commons wishes to do that, it already possesses the power without embracing it in an Act of Parliament. It should refuse to concur in a proposal it could immediately set aside.

MR. ROBERTSON: I do not wish to prolong the matter. The objection that this proposal is a novel one, is one I at once admit; but, if that puts me out of order, that is a totally different thing.

*THE CHAIRMAN: It is so novel that it appears to be irregular. As far as I know, Parliament has never passed an Act making a law which may be immediately repealed by one House.

MR. ROBERTSON: I should like to know what meaning the Lord Advocate places upon this provision of the clause? No part of this Bill, no part of any Bill can survive one single instant beyond the time that Parliament should otherwise determine. Why are these words inserted here? If he will tell me that they do mean something, and that they have what I contend is the only rational meaning—that they mean there is not a permanent distribution of money—then I shall be content to allow them to stand. I should like to have a definite answer to these two questions. Do they mean anything or do they not, and if they have no meaning will he consent to their excision? Will he tell us that they are intended to be a warning to the Local Bodies, that although this scheme is embodied in an Act of Parliament it is not intended to be permanent or perpetual; but that they should take this money on the distinct understanding that at any moment this distribution may be changed by Act of Parliament.

*SIR C. J. PEARSON: The question is one which arose in this House two or three years ago. It was then explained that it was thought desirable to call attention to the fact that Parliament in passing the measure did not contemplate that it was necessarily a final settlement; but that is a different thing from the omission of the words and so throwing the whole subject open to annual determination. These words are intended as modified notice to the bodies who receive the money that they are not to rely too strongly on Parliament not interfering again. That, however, is a totally different thing from the Amendment of the hon. Member, who I think has not succeeded in making out a case. As I read his Amendment it applies to the whole of Clause 2, whereas his speech was devoted to the first sub-section, as if the Amendment were only to apply to secondary education.

MR. BUCHANAN: I mean it to be applied to the whole—the new money.

*SIR C. J. PEARSON: I think it would be as unfortunate to confine the operation of Clause 2 in all its branches to the current year, as it would have been to confine the operation of the first clause under the previous Amendment.

(8.10.) MR. CAMPBELL - BANNERMAN (Stirling, &c.): The explanation of the right hon. and learned Gentleman (Sir C. J. Pearson) really leaves this matter somewhat more bewildering than it was before. It must be perfectly evident to anyone who looks back upon all that has passed with regard to this money, and who recollects all that has been said about this money on the part of the Government, and to the intentions that have been expressed in Scotland, that there is no fixed or certain scheme to which the allocation of this money can be permanently made. The right hon. and learned Gentleman's explanation contained one satisfactory element, and that was his acknowledgment, in reply to the hon. Member for Dundee (Mr. Robertson), that the words "until Parliament otherwise determines" were inserted in the Bill to give a hint to the recipients of the money not to count upon it as a permanent grant. But I cannot help thinking, notwithstanding what the right hon. and learned Gentleman said, that the words in such clause are somewhat unusual. It is not uncommon to insert in a Bill some words with reference to the determination of Parliament, as in Clause 1, where in line twenty it says, "or of such other amount as Parliament may determine, having regard to the amount of the fee grant," thus leaving some elasticity as to the amount of the sum, and leaving it to be settled according to the determination of Parliament. What we object to, Mr. Courtney, with regard to a proposal of this kind is, that if it is not unconstitutional, it tends in an unconstitutional direction. There is every sort of argument in favour of making this a temporary Bill. There is the argument of a moribund Parliament, the argument founded on the fact that the opinion of Parliament is not fully made up on the subject, and the argument founded on the obvious fact that this, in its inception, is a makeshift arrangement of the Government. Our principal objection is strengthened by the fact that

the same policy the Government are pursuing with regard to this Bill, they have pursued with regard to others during late years. We have had a Naval Bill, an Army Bill, and other Bills, every one of which appeared to be designed to take away from the House of Commons the control over the expenditure of public money, and to bring the House of Lords directly into partnership in the control of that money, thus depriving the House of Commons of a free hand to dispose of money raised by taxation, which according to the Constitution this House possesses. That is why we dwell upon this point to an extent that may seem unreasonable. The right hon. Gentleman seems to think it is important that the House of Lords should possess the key of the Constitution. That is the very reason we dislike the Bill, and see an objectionable tendency in the whole idea which underlies it. Well, Mr. Courtney, my hon. Friend has moved an Amendment for striking out certain words. I agree that these words, having the sense now attributed to them, had better be left in if we do not substitute anything else for them. But my hon. Friend moves to leave them out in order to substitute "in the financial year ending 31st March, after the passing of this Act." My hon. Friend wishes to confine the effect of this Bill to one year, and in that I shall strongly support him, not only on the ground of the merits of this particular case, but also because it is, I think, our duty to oppose every action which has any tendency to deprive the House of Commons of that perfect control over the finances of the country which the House of Commons should have.

(8.17.) MR. A. J. BALFOUR: I can assure the right hon. Gentleman there is no dark design of the kind which he seems to suspect on the part of the Machiavellis on the Front Bench. Of course the words which the hon. Member proposes to leave out are not worth making a long fight for—they are according to a recent precedent—but if it will soothe the feelings of hon. Members opposite I shall be willing to accede to the suggestion to leave them out. I think, however, that I

cannot agree to the words proposed to be substituted. The right hon. Gentleman proposes, I think, that for this year the scheme shall be left in a fluid and indeterminate condition, so that next year, under other and perhaps happier auspices, he may perhaps bring in a Bill embodying the proposals he desires to see adopted. It seems to me that the proposal of the right hon. Gentleman is a better one than that of the hon. Member for Dundee, who thinks that this scheme should be fluid for all time, and thus leave the Local Bodies in Scotland in doubt every year as to whether some Vote in Supply might not entirely alter these funds, on the reception of which they may have framed all their schemes for the year and the general mode of conducting their business. I really cannot see how it can be supposed that this permanent uncertainty would find favour with the popularly-elected bodies in Scotland, which, after all, we have to consider.

(8.20.) DR. CLARK: I hope my hon. Friend will withdraw the Amendment and move to have the words inserted in the next line, where they could be easily inserted. I recollect both the precedents which have been alluded to by hon. Gentlemen, and I think we should give a warning to the Local Bodies not to regard these grants as permanent. In my opinion it is very desirable that the words "until Parliament otherwise determines" should be left in the Bill, because they indicate that the Government is giving this money provisionally until they can look up and consider the whole question, and bring in a measure of a permanent character. I therefore trust that my hon. Friend will withdraw the Amendment as suggested, and then in the next line he can move for the words limiting the grant to the financial year ending 31st March to be inserted. That would prevent me from being compelled to vote against my hon. Friend, and probably also prevent my vote from being misunderstood.

(8.22.) MR. ROBERTSON: The First Lord of the Treasury has protested against any dark design being imputed to the Machiavellis on the Front Bench. It seems to me that the design is not dark at all. It is as clear

as noon-day, and there is no mystery about it. The design has been pursued from the beginning, and these words which are now being challenged have no meaning at all, unless they mean that the Government want to bring in the veto of the House of Lords. The right hon. Gentleman talked about our wanting to have a fluid scheme. In what respect is a scheme depending upon the will of this House more fluid than an Act of Parliament? What is the difference? Simply that the House of Lords have a veto. Well, the Lord Advocate, I am bound to say, explained the meaning of these words with great candour. He has almost disarmed my opposition and that of the hon. Member for Caithness (Dr. Clark), and I am not sure that he has not nearly made a convert of the Member for the Stirling Burghs (Mr. Campbell-Bannerman). The right hon. and learned Gentleman said most distinctly that these words are a warning to the Local Bodies, and he accepted my own words that this is not a permanent scheme.

SIR C. J. PEARSON: I said not necessarily.

MR. ROBERTSON: Here is a new complication and ambiguity. The words in the Bill have no meaning in law at all, as the Lord Advocate knows very well. All they signify is a warning from this House that this scheme is not a permanent one. Now he says "not necessarily" a permanent one. That reduces the words again to no meaning at all, because no scheme is necessarily a permanent one. Therefore, he is taking away a little from his candid explanation. If the right hon. Gentleman will let these words stand with the unqualified explanation that this scheme is not a permanent one, I shall be inclined to take the view of my hon. Friend and vote for the retention of the words "until Parliament shall otherwise determine."

(8.25.) MR. MARJORIBANKS (Berwickshire): I do not think the First Lord of the Treasury realises exactly what the effect of the Amendment, if passed, would be. It means that for this one year the money is to be granted as proposed, and that next year it shall be open to the House to

decide whether it shall be granted by another Act or by vote of this House alone. I hope my hon. Friend will press his Amendment for leaving out the words "until Parliament otherwise determines," and try to get his own inserted, because I think that this House should have the opportunity of deciding next year whether it will dispose of this money in a different way from that now proposed. The right hon. and learned Gentleman the Lord Advocate has said that the most elastic part of the whole clause is that dealing with the £60,000, because it depends upon a Memorandum issued by the Scotch Education Department. But this Education Memorandum is one of the points we take the greatest exception to. We say this Memorandum is, so far as we can understand it—and I do not think any hon. Member will find it easy to understand—does not put forward a satisfactory scheme, and one to which we can give our consent. And then we object to each proposal of this clause as it now stands, and therefore we propose that the effect of it should be limited to a single year.

MR. CAMPBELL-BANNERMAN: The First Lord of the Treasury has introduced, not for the first time, Machiavellianism. I am not sure that his is quite an accurate view of Machiavelli's history and character, but, still, if there is a very designing person here who is up to what, in vulgar language, I should call "tricks," is not there a danger, I will ask my hon. Friends behind me, of getting rid of these words which, in themselves, are of some value and, after all, not being allowed to put in the words we wish? My right hon. Friend the President of the Local Government Board has been in a somewhat lively condition for the last five minutes, and I have begun to think that perhaps he may be Machiavelli in person. With a view to the contingency I have just referred to, I am inclined to advise my hon. Friend to let these words remain lest we should get rid of them and not get others in.

*(8.29.) MR. BUCHANAN: Since I moved this Amendment we have had an interpretation of the highest importance put upon the words that I propose to be left out by two right hon. Gentlemen. And in consideration of the fact

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that we have already had a Division on the subject of making the whole of the Bill applicable for one year; and considering as well the statements made by the First Lord of the Treasury and by the Lord Advocate, that the words to be omitted are intended as a warning to the Local Authorities and other persons entrusted with the distribution of this money that the distribution is not necessarily permanent, I shall be willing to withdraw the Amendment.

Amendment, by leave, withdrawn.

* (9.6.) MR. HOZIER (Lanarkshire, S.): The object of my Amendment requires very few words of explanation, as the facts of the case have been long before the House. It is the very opposite to the Amendment about to be moved by the right hon. Member for Berwickshire (Mr. Marjoribanks). The right hon. Gentleman proposes to rob the ratepayers of £50,000 in order to add it to the £60,000, and so increase the grant for secondary education to £110,000. I propose to transfer the £60,000, which under the Government Bill is to go to secondary education, to the Town and County Councils. I would say in passing that, in the event of my proposal being accepted, I am perfectly willing to give the Town and County Councils freer hands than they have under the Bill. My Amendment will be seconded by the hon. Member for the College Division of Glasgow (Dr. Cameron), who has also promised to act as Teller with me in the Division. I may mention that I was perfectly willing to accept the compromise in the Bill, because I think the compromise of £60,000 proposed by the Government is, on the whole, a fair one between the claims of the ratepayers and of higher education. Compromise is, however, a matter of give and take; and yet, so far as I can make out, those who are fanatically in favour of secondary education and fanatically opposed to the claims of the ratepayers are determined that their share shall be all take and no give. It is as a protest against this idea of theirs that I beg to move the Amendment which stands in my name.

Amendment proposed, in page 2, line 8, to leave out Sub-section 1.—(Mr. Hozier.)

Question proposed, "That the words 'In transferring to the Scotch Education Department' stand part of the Clause."

(9.8.) DR. CLARK: I would give the hon. Member my support if I thought the money would be expended in the way suggested by the Government, and if I thought it could not be amended; otherwise I should vote that it be not spent on secondary education at all. There is a large amount of money for secondary education at present, which was intended for the education of the poor, and now the Government are going to use this £60,000 for intermediate and technical education. I am not sure that the hon. Gentleman is not right. I should be glad to hear something from the Lord Advocate as to the course the Government are going to take in regard to the £60,000. Are you going to limit it to middle-class schools, or do you want to take in what may be termed intermediate and technical education? Do you want to limit this money solely and entirely to the burghs and the large towns, or are you going to give it in such a form that it will benefit the agricultural population, and so that we shall have agriculture taught and other subjects interesting to the country population as well as in the towns? I think we should have some statement from the Lord Advocate as to what he is going to do with this money.

(9.11.) DR. CAMERON: I have great pleasure in supporting this Amendment, but not for the Platonic reasons put forward by the hon. Member who proposed it. I support the Amendment, because I consider, so far as I can make out from the expression of the opinion of those who are best able to judge regarding such questions, that the money proposed to be devoted to secondary education under this Bill and scheme of the Government will be absolutely wasted. My hon. Friend asked for information as to how the Government proposed to distribute this sum of £60,000, but he will find that information given in the 1st clause

contained in the Memorandum presented to the House by the Department. According to that, I understand they are going to give £45,000 by results; £1,500 to the higher departments in primary schools; and the remainder is to go to the expenses of testing the education by examinations. I am concerned in this grant chiefly and naturally on behalf of my own constituents; and I confess I fail to see how, under the provisions of this Bill, they are to be benefited. As I said before in connection with another matter, of the £60,000 the distribution of which we are now discussing Glasgow contributes by taxation £10,000, and anything less than that £10,000 which she receives is so much taken from the ratepayers of Glasgow for distribution in other places. I do not conceive that we would get back anything like the money taken from us by taxation, under this Bill. The Memorandum of the Department appears to me to be absolutely fallacious and unreliable. The figures in it are imaginary in the highest degree. Everything is an assumption. It states that the 50,000 children between the ages of 13 and 16 at present in the Board schools of Scotland will, by the operation of this proposal of the Government, be increased to 112,000. The number of children between the ages of 13 and 16 in all the public schools in Glasgow is only some 7,000. The Memorandum is not easy to understand, and I think, before we distribute this money, we should have some distinct explanation of it. In the first place, I may say the scheme proposed by the Government has been condemned in every quarter in which it has been criticised. There are a number of gentlemen who are strong advocates of secondary education on this side of the House, and there is not one of these gentlemen but denounced the scheme of the Government in the very strongest terms. [Mr. ESSLEMONT dissented.] My hon. Friend is very fond of speaking for other people. I do not say he has done so; but a very large number of Members on this side of the House have spoken in the very strongest terms against the proposal of the Government. To show that the case of Glasgow is not a singular case, take the case of Dumfries, as set forth

in a Memorandum sent up by the School Board of that town. The School Board of Dumfries points out that the rates would have to be very largely increased under the proposal of the Government, supposing the attendance did not increase at all. The total increase would amount to £933. This increased burden would be imposed not for the burgh population in whom the ratepayers are interested, but for the purpose of educating the children of non-residents to the extent of half the attendance. And they go on to ask whether it is contemplated that any additional rating power should be given to carry out the provisions of this Bill. Perhaps the right hon. Gentleman can answer that question propounded by the School Board of Dumfries. There is one high school in Glasgow which for a very long period has occupied a high place among the educational establishments of the country, and it is a question whether it can be affected at all by the proposal of the Government. If the arrangements set forth in the Memorandum to be applied in the case of certain higher schools were carried out in this case, it would represent a loss on the average of £10, in the hope of getting £3 from the Government; and I do not know that that is a transaction that is likely to be entered upon. There are, however, a great number of endowed schools in Glasgow that will benefit, though not to any very considerable extent, by this proposal; but the majority of such institutions as will benefit by it are already richly provided for by endowments for the purposes of secondary education. Coming to the case of the higher departments in schools, as I understand the Memorandum pupils who are raised into the higher departments of these schools will cease to be entitled to a grant from the ordinary Education Fund. I think it is perfectly evident that Glasgow will not benefit with respect to her schools to the extent of anything like the £10,000 which she has to contribute to this scheme. Again, I protest against, and very strongly object to, the proposal of the Government, founded on the fact that we are asked to give this large sum of money under conditions to be subsequently determined by Minutes of the Educa-

tion Department. The Education Department has been highly praised by various speakers who have taken part in the Debates on this Bill for its excellent management of Scottish educational affairs. I take the liberty to doubt—I will not say the ability of those at the head of the Department—but I doubt in the strongest manner the fact of their inclinations and their policy being at all in consonance with the views of the majority of the Representatives of Scotland. I can quote examples which will show the absolutely reactionary inclination of the Board and of the Department, and that the Department, however conscientiously conducted—and I do not mean for one moment to insinuate that the officials do not wish in the most conscientious manner to discharge their duties in accordance with their views—but I say that the instances which I shall quote will be sufficient to convince the House that the Department is not at all conducted by gentlemen in consonance with the educational policy entertained by the majority of the Scottish Members. What has been the attitude of the Department on free education for many years? Why, it was hostile in the strongest possible degree. Some of the Highland School Boards, who wished to discontinue fees in their schools as being detrimental to their usefulness, proposed a nominal fee of a halfpenny a week. The Department held that that was clearly an evasion of the law. Then, when the right hon. Gentleman the Member for Sheffield (Mr. Mundella), who either was, or had recently been, a Vice President of the Education Department, ventured to make a speech in favour of free education, he was answered by an official of the Department. A permanent official of the Department stepped out of his place, according to the rules laid down by this Department, and either spoke or wrote publicly and in his own name against the views entertained by this gentleman who had been so long an official. To take a more recent case as illustrating the arbitrary manner in which the Department acts, and its total disregard of the views of the populace, take the case of the Port Glasgow School Board election. An

insufficient number of candidates went to the poll, that insufficient number was declared elected, and the members elected then nominated the remaining members of the Board. That decision was followed in a number of cases. The legality of the election of such School Board was consequently tested before the Court of Session, and the Court pronounced that the election was invalid. The result was that 68 School Board elections, which had been carried out in the same manner, have been declared invalid. In certain cases the constituencies had been grossly dissatisfied with the School Boards which had been imposed upon them. That they had been so dissatisfied was proved by the fact that they had, in one case, gone before the Court of Session and got the appointment of the School Board annulled. The strongest representations were made to the right hon. Gentleman upon that point, and it was urged that he might remove the injustice by allowing a new election. But instead of that he re-nominated the Board that had been declared illegal and allowed the grievances of the ratepayers to remain. To show the autocratic disposition of the Department, I may mention that I put down on the Paper a Motion asking what School Boards could be rendered illegal through the decision of the Court of Session, and the right hon. Gentleman informed me that I might see the Return if I would wait upon him. When I went to ask the right hon. Gentleman for the names, he told me he did not consider he was bound by a promise so given across the floor of the House. This is the autocratic Department which appears to render, even the chiefs who are temporarily connected with it, absolutely careless not only of public opinion, but also of the courtesies and usages of this House. This is the Department into whose hands we are asked to hand over the absolute disposal of this money. The Memorandum is not intelligible, and I venture to say that no Member of the House who has attempted to study it and to see what its results would be in the constituency in which he is interested will be able to predict what would follow if the Memorandum were passed into law. For these

reasons I heartily, and on much more than Platonic grounds, second the Motion. It appears to me that the money will certainly not be distributed by the Department in accordance with the advanced views of the present time; I believe the money proposed to be voted will be absolutely wasted under the proposal of the Government. I should like the proposal to be explained and drafted in some such way that we can understand it. To show how little the people of Scotland understand the force of this Memorandum, one of my hon. Friends showed me a long telegram which he received from the School Board of his constituency, in which it appeared to be assumed that this Memorandum was part of the Bill, and the Board requested him to move certain Amendments to some of the clauses. If we are going to spend £60,000, we might as well know how we are going to spend it. It appears to me we cannot do better than allow it to go in some direction where we shall know what becomes of it rather than into the hands of this despotic, arbitrary, and reactionary Department to do precisely what it likes with it.

(9.36.) MR. ESSLEMONT: I do say with some degree of earnestness, that, as the Mover of this Amendment has said that he is not serious in it—

MR. HOZIER: I beg my hon. Friend's pardon; I am very serious indeed.

MR. ESSLEMONT: My hon. Friend really approved of the Bill as it stood; and had not Amendments followed asking for a little more for education than is proposed by the Government, he would not, as I understood his statement, have moved this Amendment. I submit it is not worth our while to consider it any further; and that, in order to promote the progress of business, we might really go on to the earnest and well-meant, if mistaken, Amendments that follow, so that we may discuss what we are to do with education. I hope the right hon. Gentleman the Lord Advocate will put an end to this discussion, which I cannot regard as being serious at all, and declare what the Government intend to do with regard to it.

*(9.39.) MR. MARK J. STEWART (Kirkcudbright): I think the remarks

of the hon. Member for the College Division of Glasgow with regard to the Scotch Department require some answer from this side of the House. I regret the spirit in which the hon. Member entered upon the subject. He has carefully thought out old grievances and old wrongs, and has raked up past times and bygones. I consider his accusations are most unfair, and I should like to put it to Scotch Members whether the facts are as the hon. Member has stated? No doubt the Department has exercised great caution. When free education was first mooted, long before Dr. Hunter appeared on the scene, I had some correspondence with the Department. I found the tone they took was not hostile to free education, but at the same time they pointed out the difficulties that stood in the way. I can conceive no better Department with which to entrust the disposal of this £60,000. What would the hon. Member propose to do with the money? Supposing it were handed over to Local Authorities would he frame a stereotyped Act of Parliament for their guidance? That is absolutely impossible; therefore, not to trust the Department is unfair and discourteous. We know it is very difficult to make the existing Code applicable to all parts of the country. Almost every district differs. The hon. Member mentioned the case of Dumfries. A considerable amount of correspondence has been going on between the Dumfries Academy and the Education Department, and if I am not wrongly informed the differences are practically solved. This Bill will enable poor men to forward their sons and daughters in secondary education. I should have preferred that a larger sum than £60,000 was to be given to secondary education, but I am convinced that the voice of the country is against it. In my own constituency there is a very strong feeling in favour of giving a large sum towards the relief of rates. But, at the same time, my constituents recognise that education must not be left out in the cold, and are willing to go so far. There is a stronger feeling still that this Bill of the Government is the fairest and most just Bill of any that has been brought in during this Parliament. I am

speaking for Liberal as well as Conservative opinion. I do urge Gentlemen who are opposing this Bill to hold their hands. We have a General Election before us, and if they want to come back again they had better support the Bill to-night.

***(9.45.) MR. MARJORIBANKS** (Berwickshire): I am sorry the hon. Member who has just sat down closed his speech by a sort of recantation of opinions which he held at an earlier period in the discussion. He has told us his first impression was that a larger sum should be devoted to secondary education, but now he is confident that £60,000 is quite sufficient. My hon. Friend's statement that a larger sum should be given in relief of rates might have been accepted if provision had been made for giving the Town and County Councils a free hand in dealing with the money; but if they are obliged to apply the money in relief of rates, then we are bound to take care that in that part of the Bill which proposes to give money for education, the sum should be considerably larger than that proposed. Now, we are placed in a somewhat peculiar position by the Amendment, because its terms are such that I imagine it will receive support very largely from all sections of Scotch Members. My hon. Friend proposes to leave out the words transferring the money to the Scotch Education Department. He makes that proposition in order that the money that is proposed to be given to the Scotch Education Department might be applied in relief of rates. What does that mean? It means that we are to relieve the ratepayer out of the pocket of the taxpayer; and while the rich and the poor taxpayers pay approximately in equal proportions, this is not the case with the ratepayers, as may be seen from a calculation made by my hon. Friend the Member for North Aberdeen (Mr. Hunter) with regard to Scotland, showing that three-fourths of the people live in houses under £10 yearly rental, and pay about one tenth of the rates, whereas the people who live in houses over £10 pay nine-tenths of the rates. It seems to me that the sum of money to be given to education in Scotland has been kept down to £60,000, because it is thought that the Scotch Education

Department could hardly dispose of more than that amount. I think the feeling of all sections of Scottish Members is in favour of the Amendment of the hon. Member opposite, though for varying and opposite reasons.

***MR. HOZIER**: If the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) is not aware of the Gladstonian feeling in Scotland with reference to this question, I will read him an extract from the *North British Daily Mail*, with which I believe he is acquainted. It is the leading Gladstonian organ in Scotland.

***MR. MARJORIBANKS**: I do not think we need dispute the excellence of the *North British Daily Mail*; at the same time we are not obliged on all occasions to accept the arguments and conclusions put forward in that paper.

(7.44.) MR. BRYCE (Aberdeen, S.): I had intended to support the Amendment of the hon. Member opposite to leave out this sub-section, but not with the object which has actuated him in moving it—namely, of getting rid altogether of the very moderate grant which the Government propose to make for the benefit of education in Scotland. It seems to me that the object we ought to have in view in rejecting this sub-section is to prevent the scheme, which is an extremely crude one, and entirely inadequate for the purpose, from being enacted in this House for the benefit of secondary education. I think the House will feel, when it looks into the Memorandum, that the *data* provided in it is altogether insufficient to enable us to now come to a conclusion as to the best manner of dealing with the question of secondary education. Therefore, after the Amendment of the hon. Member opposite has been dealt with, I propose to move the insertion of such words as will have the effect of referring the matter to a Commission for consideration. I hope that the Government will entertain that proposal, for by so doing I believe they will greatly facilitate the progress of the Bill. I do not know whether the Committee are aware that no Commission has investigated the question of Scotch secondary education, the extent of its endowments, and so on. We ought to have such information, for that which has

been given us in such small fragments, and so slowly, is not sufficient for our purpose. Indeed, the more I look at this Memorandum the less I understand it. We should like to know whether the Government propose to include endowed schools, whether they are going to adhere to their proposal about fees, and how they are going to deal with schools in small burghs? These are only a few of the many questions upon which we desire to have some light. We want an inquiry not only for the purpose of informing ourselves, but also to elicit the views and sentiments which we believe exist in Scotland in a latent state, but which we have not yet seen fully developed. I can assure the Government that no attempt is being made to convert this question into a Party question. If there is any credit to be gained from the passing of the Act, the Government will get more credit by passing it after a full examination of the facts. I think, therefore, that our request for such an inquiry is a reasonable one. The hon. Gentleman the Member for North-East Lanarkshire (Mr. Crawford) has an Amendment on the Paper by which the money would be distributed according to schemes prepared by the Education Committees of counties. It would, perhaps, be better that there should be some general inquiry by a Committee; but whatever conclusion may be come to, I do not think this is a matter which should be left entirely in the hands of the Education Department. The Government propose that many important questions should be settled by subsequent Minutes; but, for my part, I think they should be settled now. In discussing the Amendment of my my hon. Friend the Member for Dundee (Mr. Robertson) the Lord Advocate said "if the scheme succeeds Parliament will not interfere." The case I want to submit is that this may not succeed in giving Scotch secondary education either the extension or approval it requires, and that under it there may grow up vested interests on the part of School Boards and School Board teachers which will make it difficult for any succeeding Secretary of State, or even the present Secretary of State, to alter the scheme. I submit, therefore, that in this experi-

Mr. Bryce

ment we are running some risk, because if we allow a number of vested interests to grow up, and are subsequently convinced that the scheme is not the best scheme, but a most imperfect and unsatisfactory one, we shall be met by local opposition when we try to alter that scheme. What is wanted is a full 'preliminary inquiry, and by granting such an investigation the Government would lose nothing.

MR. CRAWFORD: My hon. Friend (Mr. Bryce) has made some reference to the Resolution I have lower down on the Paper, and I think he assumed the possibility of conflict between his proposal and mine. I do not think there would be any such conflict, because I may point out that my object, and I have held it for some years, in reference to secondary education in Scotland is that there should be Local and County Authorities, having the administration and charge of secondary education within their limit, in the same way that elementary education is managed by the School Boards. The proposal of my hon. Friend is that it is necessary and desirable to lay down by Commission, and at the starting point, some general principles. Of course in my scheme the corresponding duty would have rested with the Education Department, who, according to my Amendment, would have had the supervision of the County Council Scheme and the right of veto. Some concession upon this and other points would tend to modify opposition. We think, with regard to the matter of education, that sufficient information is not before the House. In illustration of this I may say that not a single Member around me has a copy of the Memorandum, and I do not believe that within the precincts of this building there is one to be got. That Memorandum was supplemented by the absolutely necessary information as to what the schools were to which this money was to be given, but that information was given in manuscript, which, I think, the right hon. Gentleman will admit was not the most convenient form. As far as I can understand the plan proposed by the Government, it is a most disappointing one; indeed, on the part of the schools or others interested, I have not heard one word in

its favour. It appears to be based, so far as I can gather, on the cardinal assumption that the average fee in the schools is £6, whereas it is £8. That entirely upsets the calculation. I am surprised at this lapse, seeing that we have eminent gentlemen connected with the Scotch Education Department. There are some of the Edinburgh professors who, of course, cannot be expected to attend its meetings, but we have the right hon. Gentleman the First Lord of the Treasury and my noble Friend Lord Sandford. I suppose we must assume that these Gentlemen took some share in the framing of this initial scheme to give Government grants in aid of education. If so, I am astounded at their production; and, if it was not as I assume, then we have reason to complain and good ground for asking that the country should have further opportunity of discussing and considering this matter. It is true that there is a precedent for tying down money in this way. We have the Imperial and Naval Defence Acts, and the Barracks Acts, but even these are coming to an end after a time. If the concessions which have been suggested were granted, and if a Committee, say of five, were appointed—not the Committee that would triplicate the influence of a subordinate official in the Scotch Office, but a really honestly composed Committee which would form an independent judgment on the matter—with instructions to report upon the Welsh system, I believe then that the opposition would be relieved. There is, however, a further concession. We consider the amount too small, and on independent grounds entirely object to the absolute limitation of the money given to the Town and County Councils to the relief of rates. It would be advantageous, I think, if that tying down of the money for the relief of rates were struck out, because then the Councils would have the right to dispose of the money as they pleased, and, having confidence in the desire for secondary and technical education, we believe that an additional source for drawing in aid of these subjects would thus be afforded. I admit that at present the number of people who take an interest in secondary education is comparatively

limited. Interest in that subject has yet to be aroused, and proper information in regard to it procured by visiting the localities and by inquiry.

MR. A. J. BALFOUR: My hon. Friend behind me (Mr. Hozier) has moved an Amendment which seeks to prevent the devotion of £60,000 per year to secondary education. I need hardly say Her Majesty's Government cannot follow him in that proposal. On the proposal itself, however, there has been grafted a debate, connected, but still only remotely connected, with the object my hon. Friend has in view, and in which issues of the gravest import for the progress of this measure are involved. In that Debate there have been speeches, and notably one from the hon. Member for the College Division of Glasgow (Dr. Cameron) and from the hon. Gentleman who has just sat down (Mr. Crawford) attacking the permanent officials who have charge of Scotch education. I desire before going further to divorce myself absolutely from that attack. As Secretary for Scotland some years ago, and having never been wholly separated from Scotch affairs since then, being a Member of the Committee on Scotch Education, I have had means of acquainting myself with the earnestness, the ability, and the industry of the gentlemen who have charge of Scotch education. And I venture to say that in my experience of public servants—and my experience of them is not inconsiderable—no more deserving public servants exist. I do not hesitate to say that those who are called upon from time to time to manage the affairs of any Department never had a more discreet, faithful, and able servant than the Education Office possesses in the gentleman who is at the head of the permanent officials of that Department.

MR. CRAWFORD: I have made no personal attack on the official in question, and I may say that when I spoke on the Second Reading I paid a high tribute to his merits.

MR. A. J. BALFOUR: If I mistook the meaning of the hon. Member I am delighted to acknowledge my error. Well, Sir, a good deal of criticism has taken place on this clause of the Bill, because it is said that this binds us to

a scheme embodied in a Memorandum which is in the hands of Members, and which has been made a subject of considerable animadversion. Sir, this clause binds the House to nothing whatever but the allocation of some £60,000 to the cause of secondary education in Scotland. The particular scheme advocated by the Scotch Education Department finds no place in the Bill, is not rendered necessary by the Bill, and could be altered without changing a single word of the Bill; and, therefore, it appears to me that we need not spend the whole evening in discussing a scheme which, in the nature of the case, need not be a permanent scheme. "But," says the hon. Gentleman the Member for Aberdeen, "If you start with this scheme you will practically create vested interests and your successors whatever their views may be on Scotch secondary education, will find themselves bound hand and foot by the precedents set in a hasty and ill-considered measure." That is his argument. "Cannot you," he says, appealing to us, "take steps for more maturely considering the effect before you embark on it?" Now, Sir, if my opinion is asked on the matter, I do not consider that any such course is necessary or advisable. If my own private opinion be of any value, I think the scheme put forward, framed in the first instance, as I have said before, by gentlemen more intimately acquainted with the needs and circumstances of Scotch primary and secondary education than any other gentlemen in the country, is a scheme well worthy of adoption by this House. That is the agreement; and if the Committee take my advice they will pass the clause as it at present stands, on the understanding that the scheme embodied in the Memorandum is to be the one we shall embark upon, subject to such modifications as future experience might show to be necessary. But, Sir, if this controversy with regard to the particular form of secondary education in Scotland would be terminated by an arrangement under which a Departmental Committee, not a Commission, should be appointed to consider the shape in which the first Minute of Council is to be framed; if the formation of such a Committee would

really allay this prolonged discussion, I confess, though with great reluctance, and not believing it is the best course to pursue, I might, in the interest of Public Business, be induced to accept it as a compromise, but it must be understood that it is a compromise. If it be regarded as a compromise, and if it be understood that the Committee I have sketched out is not to be in any sense of the word a roving Commission, then, Sir, for my own part, I should be reluctantly prepared to meet the proposal of the hon. Gentleman opposite half-way. There is one other suggestion he made not relevant to this Amendment at all, but arising upon a later portion of the Bill, which he seems to regard as very important. He desires to see greater liberty given to County and Town Councils in the employment of the money referred to in the 5th sub-section of Clause 2. Now, Sir, if I may be permitted to travel away from the matter immediately before us, the 5th sub-section provides that the money shall be used solely for the relief of the rates. An alternative scheme on the subject has been suggested by which it has been proposed that the money should be used for every kind of purpose other than, and outside of, this purpose. I admit it will be impossible for the Government to give the extreme latitude which some critics of this Bill desire in the employment of this £100,000 for local purposes. I do not think that could be assented to. But if it would meet the wishes of the Committee and meet in any way the intentions expressed on the other side, I should have no objection as a compromise to seeing added to the words "to be applied to the relief of local rates," some such words as would allow Town Councils and County Councils, under statutory powers, to apply the money either for the relief of the rates, as originally proposed, or for the promotion of such objects as they may have already the charge of.

MR. ESSLEMONT: May I ask the right hon. Gentleman to specify what objects he thinks would be under the authority, for instance, of the County Council towards which the money could be applied?

Mr. A. J. Balfour

MR. SINCLAIR: And I should like to inquire if education, especially, would be included?

MR. A. J. BALFOUR: Only technical education. At present a County Council or Town Council have no educational powers except as far as technical education is concerned. But if words such as I have suggested were added it would be in the power of the County Council to carry out most of the objects which the hon. Member opposite—who is an old hand in connection with Local Authorities—desires, as well as the purposes of technical education which has been handed over to the Local Authorities by recent legislation. I hope the suggestion I have made will be accepted in the spirit in which it is put forward—the spirit of compromise—and that it will be the means of avoiding lengthy discussions on the Bill. If that end is obtained, and the concessions made are received in the way I have mentioned, I shall feel that while I have given up what I consider to be the best course to pursue, yet at the same time I have not, perhaps, given it up without receiving something of equal worth.

*(10.33.) MR. CAMPBELL-BANNERMAN: I so fully recognise the value of the compromise offered by the right hon. Gentleman that I should be very sorry if any remark I made tended to neutralise the full admission on my part of the admirable spirit of his remarks. But, at the same time, he will understand that there are some of the conditions he has laid down with reference to this concession on his part—or the proposals he has shadowed forth—which I think call for some observation from us on this side. I really am delighted that the right hon. Gentleman has approached the subject in this spirit, because all of us who are Scotch Members must have at heart a patriotic desire to see the best use made of this money, whether it be for educational or any other purposes. First of all, let me dissociate myself from any imputation that has been made upon us that we in any degree attack my Friend who is at the head of the Scotch Education Department. We fully recognise his great merits and his great knowledge of the whole question, and the ability with which he conducts

all the business entrusted to him. At the same time, I am bound to say that the Memorandum which has been put forward within the last few days is not, to say the least of it, a very luminous document. It is a document which makes this question very much more difficult to understand, and, in fact, from beginning to end it is a sort of puzzle. I have read it several times, and I have not yet arrived at a knowledge of its real meaning. Another fact I would point out is that this Memorandum having necessarily been put together under pressure, many of the facts upon which its proposals rest are found on further investigation not to be perfectly accurate. We have had within the last two or three days information from educational sources in Scotland which has enabled us to point to one or two grave errors in the Memorandum which really affect the whole of the calculations upon which the scheme is based. But after what the right hon. Gentleman (Mr. Balfour) has said, I do not propose to occupy any further time of the House in discussing the particular scheme put forward in the Memorandum, because the right hon. Gentleman has consented practically to the appointment of a Committee to inquire into the matter, with a view to the framing of a scheme. The right hon. Gentleman based his consent, I think, upon a somewhat unworthy ground. He said it was merely to prevent discussion. I think it ought not to be put entirely on that ground, because if there were a prospect of a somewhat prolonged discussion on this matter it would not be an unjustifiable discussion, for it is a subject so complicated, and one which so lends itself to diversity of opinion on all hands, that it would have been strange indeed if there had not been considerable debate. But I quite see that the right hon. Gentleman may save time, from the point of view of the Government, by a concession of this kind. But I should like to point out to him that a great deal depends—in fact, almost everything depends—upon two things. First of all, what are the instructions to be given to this Committee; and, secondly, what is even more important, who are to be the Members of it. My hon. Friend the Member for Lanarkshire (Mr. Crawford)

spoke of a Committee honestly composed, by which, of course, he meant that it was a Committee in respect to which an endeavour should be made to fully represent all the different shades of opinion on this question, and a Committee which would not run on in the ordinary departmental groove. I would mention this apart from any criticism which may have been passed on the Memorandum of the Education Department, and merely as a point which seems a strong one in favour of inquiry by a Committee or Commission—that questions in Scotland vary so much in the various localities, in the different towns, and in the different counties, that it is vain to expect that a centralised Department could produce a homogeneous scheme which will apply with equal efficiency in all parts of the country; and I should like the Commission or Committee to take a broader view of this matter than would, perhaps, be possible in a Government Department. The right hon. Gentleman said—but perhaps this is going back on the Memorandum—that we are not committed to the Memorandum if we pass this Bill. I venture, with great respect, to differ from that statement, because we are told in the Bill that the new system of secondary education is to be based on Minutes issued by the Education Department; and when, with a view to the discussion of this Bill, a Memorandum has been issued setting forth the view of the Department, and the House of Commons passes this Bill with that Memorandum before it, it would certainly be said that the House of Commons had this particular scheme in view at the time it passed the Bill, and therefore we should, practically, be giving our authority and consent to these proposals if we passed the Bill. However, the right hon. Gentleman has appealed to us to accept what he calls a compromise; and, speaking for myself, I think it would be a very wise step to appoint a Committee or Commission, provided, as I have said, it is a competent Committee or Commission in the sense to which I have referred. As to the shortening of the Debate, I feel that it would only remove all necessity to discuss the particular scheme for the application of this secondary educa-

tion money. I do not, however, think that we shall escape the necessity of arguing in favour of a larger total amount to be devoted to this purpose and I cannot promise that that time would be saved. I cannot promise that it would have any influence at all on the remarks that would be made on the grant to the Universities or the grant to Parochial Boards; but otherwise with regard to the secondary education sub-section, there is no doubt it would have a beneficial effect. Then the right hon. Gentleman proceeded to refer to a further concession—namely, that certain words should be put in at the end of sub-section 5 in order to give a larger discretion to Town Councils and County Councils. I have repeatedly during these Debates urged upon the Government the adoption of this course. I am willing to make this admission—that while in the case of the Town Councils, as I understand the state of the law, you could give perfect freedom of hand with the knowledge that they have ample power to devote the money to several useful purposes which could be mentioned, in the case of County Councils, there would be no such power without fresh statutory authority. I admit the difficulty which arises on the ground that the County Councils are, as I think, unfortunately so limited in the scope of their powers, and that they cannot at present employ the money for any other purposes except the relief of rates and technical education. In that sense I should be disposed not very much to object to what the right hon. Gentleman suggested, that the words should be put in, and that statutory powers should be given in future, because, as the necessity arises, it would be possible to extend the powers of County Councils in order that they might make the best of this money. With respect to the Town Councils, this money might be given to them absolutely without restriction, but, in any case, both Town and County Councils at present have the power to devote this money if they please to technical education, and, as I said, if fresh statutory powers are required it would be in our option to give them. If that is the sense in which the right hon. Gentleman made the proposal, for my part, I do not see any

Mr. Campbell-Bannerman

great danger in the insertion of those words to which he has referred. If his proposal as to a Committee is fulfilled, and if wider powers are given to the Town Councils and County Councils in the application of their money—if these two objects are carried out effectively, I think the right hon. Gentleman will have done much to ease the passing of this Bill, and to make the measure useful and beneficial to Scotland. I should like to ask one question with regard to this Committee. My hon. Friend the Member for Lanarkshire (Mr. Crawford) mentioned one special Instruction which might be given to this Committee—namely, that they should have power to inquire into the advisableness of setting up County Committees for secondary education after the Welsh pattern. I think most of us are agreed on this side of the House that that would be an excellent example to follow. Although the two cases are not actually similar, they are at least analogous, and my hon. Friend mentioned that the success of the Welsh system and its theoretical perfectness recommended it as an example which might be followed, and it would in any case be a useful thing if it were admitted to be part of the duty of the Committee to be appointed to inquire whether such a system could be beneficially applied to Scotland.

(10.48.) MR. A. J. BALFOUR: My right hon. Friend has asked me a question which I hasten to answer. He is probably aware that the conditions in Scotland and Wales are different, and that the existence of compulsory School Boards in Scotland differentiates the two cases in a very important sense. He is also probably aware that there might be a great deal of friction, and a great deal of difficulty in establishing a County Education Authority whose administrative powers would cross the administrative powers of the School Boards on certain important particulars. This might involve very serious friction between two popularly elected Bodies who represented different areas and different systems. But I agree with the right hon. Gentleman that the case of Wales is one which cannot be ignored; it is the only case, so far as I know, in which secondary education has been handed over to any Bodies at

all of the kind suggested. Therefore, we have gained in Wales a kind of experience which the Committee would no doubt think it their duty to examine, and I certainly think they should be permitted or instructed to make that inquiry.

(10.49.) MR. R. T. REID (Dumfries, &c.): Does the First Lord of the Treasury contemplate extending the powers of the County Councils to enable them to spend money for all purposes for which the Town Councils can spend money?

MR. A. J. BALFOUR: All statutory powers, certainly.

MR. PARKER SMITH: At the present time both the County Councils and Town Councils can spend money for technical education. Would the right hon. Gentleman be prepared to consent to statutory powers so that they might, if they pleased, spend the money for the purposes of secondary education?

MR. HUNTER: There is one point which I should like the First Lord of the Treasury to explain. I think it would meet the views of Members on both sides of the House, and you would still retain the power of applying the money to the relief of the rates, if you were to give this money to the Common Good. That would enable us to do all that we can desire, which the statutory limits would not do.

(10.51.) MR. DUFF (Banffshire): In reference to what fell from the hon. Member for Aberdeen, there is one point which has not been specially referred to before. My hon. Friend has an Amendment on the Paper which, if adopted, would give the County Councils complete power to apply this money for any purpose. In many cases, especially on the east coast, there is a desire on the part of County Councils to expend the money on harbours. At present, while the larger harbours have power to levy rates the smaller ones have not that power. Several of us tried to get them that power when the Local Government Bill was passing through the House; but we did not succeed. The result of the right hon. Gentleman's proposal would be that the larger harbours could be assisted by the County

Councils, while the smaller ones could not. The First Lord of the Treasury must be well aware of the condition of many of the harbours on the east coast of Scotland, and I am quite certain that the fishermen have his sympathy, and there would be great disappointment amongst them if the County Councils are not able to help the smaller harbours. As the County Councils are the creation of the present Government I think the right hon. Gentleman should have faith in them, and my hon. Friend reminds me that the money might be spent with the sanction of the Secretary for Scotland. The compromise proposed by the right hon. Gentleman would exclude assistance to those who are most in need of it.

*MR. MUNRO-FERGUSON: I wish to ask the First Lord of the Treasury if he will be able to give the names of the Departmental Committee, and the instructions that will be given to them, before the Report stage? If he can do that I do not see any objection to allowing the Bill to pass.

*(10.55.) MR. C. S. PARKER: I am decidedly in favour of this compromise, not only as a means of tiding over the position, but on its own merits, and I am sorry my right hon. Friend does not see the merits so well as we on this side see them. I associate myself with all that he has said in praise of the head of the Scotch Education Department, but after all he is only one man, and I am sure a better result would be obtained if there were others in consultation with him. This Memorandum, which embodies the scheme of the Government, and the copious criticism which has come, and is still coming, from School Boards and from the masters of secondary schools, should be carefully considered together. There are several points in the Memorandum on which the Department has modified its opinion: for instance, the minimum fee is fixed too low. Then in regard to the Local Authority, the question is whether the Welsh example of education committees might not be followed, instead of the Department's idea of grouping the School Boards. The Memorandum and the information from those best acquainted with the matter afford ample material for the considera-

tion of the Department, and I presume the result of the Departmental Committee's deliberations will be submitted to the Committee of the Privy Council. I think the plan is a very good one.

(11.0.) MR. ASHER (Elgin, &c.): I fully recognise in the proposal of the right hon. Gentleman a desire to conciliate Scotch Members on this side. The point to which I wish to direct attention is the bearing of the Commission on the interests of the burghs. I understood that the right hon. Gentleman proposed an extension of power in the Bill to enable Local Bodies to apply this money not only to the relief of the rates, but for any other service for which they have statutory power. That is quite intelligible, so far as County Councils are concerned; but as regards the Royal Burghs that is a concession nominal rather than real, as it is evident that in addition to rates, and technical and secondary education, there are few additional purposes to which the Town Councils would be able to apply the money if the proposed alterations were made. I would point out that the Town Councils have different powers in the disposal of the Common Good in which they are not restrained by Statute, but can dispose of it according to their discretion. I would suggest that with regard to this money the Town Councils have freer hands, to the extent that they might frame schemes for the application of the money, which should require the sanction of the Secretary of Scotland before becoming effective. This money has to be disposed of largely in accordance with local requirements. Many burghs and counties will most gladly dispose of it in aid of harbours rather than in relief of the rates; and I would suggest that the Bill be so extended as to give power to expend the money in accordance with schemes framed by the Local Authority and sanctioned by the Secretary for Scotland.

DR. CLARK: Will the right hon. Gentleman permit the Commission to consider the question of intermediate and secondary education, or rather to take a wider view of secondary education than that in the Bill?

(11.2.) MR. A. J. BALFOUR: I would venture respectfully to warn the Committee against trying to do too

much in the matter, or to press too far in the direction in which we have arrived at a certain point. The hon. Gentleman suggests that the Departmental Committee should consider the requirements of technical education as well as secondary education. After all, what we require is that there should be a Minute framed for dealing with this £60,000 a year; therefore, I do not think it would be advisable or convenient that the whole question of education of every sort, other than University and primary education, should, as it were, be thrown into the melting pot and poured out into some new mould by this Departmental Committee. I think by increasing their functions unduly you diminish their utility. As regards what fell from the hon. Member for the Elgin Burghs (Mr. Asher), the hon. Member for Banff (Mr. Duff), and one other speaker, who have all pleaded that the extension which I offered to give should be yet further extended with regard to allowing burghs to spend their money, I may say I do not think we should make this grant part of the Common Good; that gives absolute licence to local authorities to spend it as they like, even on turtle soup and champagne, though I do not think Scotch Local Authorities are at all likely to deal with this money in that way. Still, I do not think it is our business to use the taxpayers' money for such possible purposes. If it is understood that no demands are to be made for the extension of County Council powers beyond those which they have at present, and beyond those which we may expressly from time to time confer on them, I do not know that there is any special objection, with proper safeguards, to the money being spent on harbours and other schemes sanctioned by the Secretary for Scotland. But I hope I shall not, if I make that concession, be met by further demands and asked for a further extension. I hope I have shown an ample share of the spirit of conciliation, and that we shall now be allowed to get through the Bill.

MR. PARKER SMITH: Will the right hon. Gentleman say whether the Committee could apply this money to the purposes of secondary education?

MR. A. J. BALFOUR: I do not consider that secondary education would fall within the limits of this part of the Bill, and I do not think it would do to allow the Committee to deal with this money for secondary education.

(11.6.) MR. ARTHUR H. DYKE ACLAND (York, W.R., Rotherham): Perhaps the right hon. Gentleman will allow me to say that I hope he will not exclude altogether the consideration of the other subject from the investigation of the Committee, because our experience in Wales, to which the right hon. Gentleman has alluded, has been that the two subjects are so closely allied together that they can hardly be disconnected. The whole of the money allowed for the use of education is being applied for secondary education, with the view ultimately of weaving technical education into it; and in England our experience is just in the opposite direction. I think the circumstances show that it is not desirable to exclude altogether technical education from the purview of this Bill.

(11.7.) MR. ESSLEMONT: I should like to know whether the right hon. Gentleman contemplates that this Departmental Committee should have under its purview the question of evening schools, especially in rural districts, where no secondary education at present exists.

(11.8.) MR. BARCLAY: As I have had some Amendments on the Paper proposing to amend the administration of the grant, perhaps I may be allowed to say that I think there would be much greater difficulty in dealing with secondary education in the counties than in the burghs; and I hope the attention of the Committee will be specially directed so as to make secondary education available for rural parishes, where at present a difficulty in obtaining secondary education now exists.

(11.9.) MR. CAMPBELL-BANNERMAN: I think the right hon. Gentleman has shown every disposition to meet us, with regard to the questions which have been too much talked of, by a modification of the words in the latter part of this clause; and I feel satisfied from what he has said that he does desire to give in the most convenient and safe way the largest powers that

can be reasonably given to County Councils and Town Councils, with whatever restrictions it may be necessary to impose for protection owing to their statutory powers. I would suggest to the right hon. Gentleman that I think it would save time if he gave his assent to a Motion to report Progress, in order that the necessary words might be put down upon the Paper by the Government; and then I think I shall have authority to say, on the part of my hon. Friends, that there will be little difficulty in the safe passage of the Bill through Committee. Although there may be considerable discussion on some other points, there is no reason to doubt that the Committee stage of the Bill will go through the House to-morrow.

(11.10.) MR. DUFF: I think the First Lord of the Treasury has met us in a very conciliatory spirit. There is one point to which I should like to call the right hon. Gentleman's attention, and it is simply this: the Amendment to Clause 5 to be proposed by the hon. Member for Aberdeen would, to a certain extent, meet my case; but, as the words of the clause stand at present, they would not meet my case. I want to bring under the notice of the right hon. Gentleman one case; it is the case of my own county, Banffshire. The Harbour Authorities have no legal power to levy rates, but they levy voluntary rates. As the Bill stands at present, it would be quite out of the power of the County Council to give anything towards those harbours which have a voluntary rate. On the other hand, if the Amendment of the hon. Member for Aberdeen were carried, it would meet my case, because it would have the effect of placing harbours, that have legal powers for levying rates and harbours that levy voluntary rates in the same position. I hope that point will not escape the attention of the right hon. Gentleman.

(11.11.) MR. A. J. BALFOUR: I thought I had already explained to the hon. Gentleman that provision for such a public work as a harbour is already made in the Bill. I take note of what fell from the right hon. Gentleman the Member for the Stirling Burghs, that if the Committee should now adjourn, speaking on behalf of his friends, he

has every reason to believe that the Committee stage of the Bill might be finished to-morrow. I propose, therefore, to assent to the Motion for Adjournment on that understanding. But, before I do so, it might, perhaps, be convenient that we should divide upon the present Amendment, because my hon. Friend behind me assures me that he must take a Division upon it, and, although I shall go into a different Lobby from that which he will go into himself, I think we ought to gratify him to-night before we break off.

(11.13.) DR. CAMERON: I think the House should not take a Division, because, so far as I am concerned, I consider the proposal of the right hon. Gentleman as extremely satisfactory. I explained my views with regard to the provisions of this Bill. I desire to see as much as possible of this money go to the relief of local burdens, because I wish to have an end put to this eternal seesaw which gives rise to fresh equivalents and fresh claims. The right hon. Gentleman now proposes to take a step which I think will lead to this £60,000 being well expended. I regard it as part of the compromise that so much of this money should be devoted to secondary education, so much to the Universities, so much to the Parochial Boards, and so much to the County Councils. It seems to me that we should have a very one-sided compromise, if we were going to have all the compromising in one direction.

*(11.14.) MR. HOZIER: Do I understand that the hon. Members who propose to increase the grant for secondary education are not going to move their Amendments? ("No!") If that be so, I shall withdraw my Amendment. Does the hon. Member for Aberdeen intend to withdraw his Amendment for increasing the grant for secondary education or not? ("No.") Certainly not? Then I beg to press my Amendment to a decision.

Question put, and agreed to.

(11.17.) MR. BRYCE: I wish to ask the right hon. Gentleman whether he will put down the Amendments which he proposes, so that when we meet at two o'clock to-morrow we may see them and have some little time to consider them?

MR. A. J. BALFOUR: I shall do my best to carry out the very reasonable wish of the hon. Gentleman.

(11.18.) DR. TANNER: About this reporting Progress. During the course of the evening we have been told by many of our Scotch Friends that the whole time of the House would be taken up discussing the provisions of this Bill till twelve o'clock to-night; and there are certain other contentious measures awaiting discussion which are bound to meet with substantial opposition. I would therefore recommend our Scottish Friends, who happen to be here in such force this evening, to go on with their business instead of postponing the discussion of this Bill and taking up the nice bait offered to them by the First Lord of the Treasury. I do hope that, instead of postponing the discussion (cries of "Divide!") and pursuing a policy of procrastination, the Members from Scotland will attend to their business and carry on this Debate until the hour of twelve o'clock, when no other Public Business can be proceeded with. I do hope a sensible view will be taken by hon. Members sitting above the Gangway on this side, and by hon. Members on that side of the House. I take this opportunity of opposing the Motion that you report Progress.

Motion agreed to.

Committee report Progress; to sit again To-morrow, at Two of the clock.

SUPERANNUATION ACTS AMENDMENT (No. 2.) BILL.—(No. 275.)

SECOND READING.

Order for Second Reading read.

*(11.25.) THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): In moving the Second Reading of this Bill I shall have to explain to the House that it is not a General Superannuation Bill. It is a proposal to do away with two distinct difficulties which have arisen in the administration of the Acts. There are many branches of the Public Service which are regulated by special, distinct Acts. They provide for pensions on retirement through sickness or long service to officers of those Departments, but no provision is made in the case of a transfer from one branch

of the Public Service to another, and it thus happens that in the transfer from one branch to another the individual may lose the whole right to the pension which has accrued in consequence of his earlier service. Therefore, when he comes to retire, in consequence of sickness or age, the Treasury is unable to include, in estimating the amount of his pension, the earlier service which has been performed by him in another branch of the Service. That is one matter which is dealt with in this Bill. The other is an extension of the 6th section of the Act of 1887. That section provides that rules should be made as to the conditions under which military and naval officers drawing non-effective pay may be employed in the Civil branch of the Public Service. This Bill enables similar rules to be made as to the officers drawing Indian non-effective pay—that is non-effective pay from Indian, and not from Imperial, funds. Those are the only two points in the Bill, and I hope the House will read it a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Sir J. Gorst.)

*(11.38.) MR. MORTON (Peterborough): I hope the right hon. Gentleman will allow the Second Reading of this Bill to be postponed, because it was not at all expected that it would come on to-night. I understand from the right hon. Gentleman the Member for Wolverhampton that the Bill is altogether opposed to the recommendations of the Royal Commission that sat on this matter, and that, therefore, it is objectionable. Unless the right hon. Gentleman consents to postpone the Bill in order to give the Member for Wolverhampton an opportunity of discussing it, I shall have to go into its merits now. So far as I am personally concerned, I object to this Bill, because I object to pensions altogether. There is no doubt at all that the time is coming when this question of pensions will have to be considered not only by Parliament, but by all other authorities in the country, because, if you are going to pension one class of men, you will have presently to pension all your servants, whether they are

working men or not. Therefore, before we go on increasing the pensions of a particular class, the country ought to have an opportunity of considering the whole question. I believe our system of pensions, as well as doing harm to the taxpayers, does great harm to the officials and servants, as it teaches them to be improvident and prevents them saving when they have the opportunity. The right hon. Gentleman who moved the Second Reading of this Bill has given us very little explanation, if any at all. He has not told us, so far as I can understand, why this Bill is to be passed, or why it has not been passed before if it is necessary. Probably it is that there are some favourites of the Government for whom arrangements are being made by this Bill. That it is not an unusual thing. I have known within my own recollection Acts of Parliament passed almost purposely to give pensions to particular individuals, and this appears to be a Bill for the purpose of increasing the pensions of certain individuals. No one thought the Bill would come on to-night, and I know it is the wish of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) that it should be postponed; but the Secretary to the Treasury seems determined to push the Bill through. I understand from the right hon. Gentleman the Member for Wolverhampton that those who are interested in this matter desire to follow the recommendations of the Royal Commission as a whole, and not to deal with the question piecemeal in this way. I think I am justified in opposing the Bill until the House has the whole question before it. What on earth is the good of appointing a Royal Commission and going to the trouble and expense of an inquiry if we do not make use of the work of the Commission? As I understand, the recommendations of the Commission are utterly ignored, and I must say I think we want some better evidence than we have had to-night before we rashly pass the Second Reading of this Bill. I know, unfortunately, that at times Bills of this nature, unexplained and not understood by the bulk of Members, have been allowed to pass at a late hour; and subsequently, when

attention has been called to them, our constituents have complained of our allowing such Bills to be rushed through without discussion. I do not wish to waste time. I suggest that we should at once postpone the Bill, and proceed with other business to which the same objection does not arise; but that proposition is refused. I will not myself take up more time, but I trust that other Members will take this opportunity of letting the right hon. Gentleman know their opinions respecting the Bill itself, and respecting this unfortunate attempt to push it through at a late hour, when there can be no discussion, and when it was not anticipated that the Bill would be taken. I have to confess that I do not properly understand this Bill; and, though that confession may raise a laugh, let me observe that the right hon. Gentleman has not given us an explanation, and the only fact I gather from the Bill itself is that it is a proposal to take more money from the taxpayers. I think it would be only right that some deference should be paid to the wish of the right hon. Gentleman the Member for Wolverhampton—who was a Member of the Royal Commission that reported in 1888—that the Bill should be postponed.

SIR J. GORST: I may be allowed to remark, upon these references of the hon. Member, that the right hon. Gentleman the Member for Wolverhampton has been in the House this evening, and that neither to-night nor at any time has the right hon. Gentleman expressed any desire that the Bill should be postponed. Had he expressed such a desire I should have been quite willing to accede to it.

*MR. MORTON: I can at once settle that point. The right hon. Gentleman the Member for Wolverhampton requested me to ask the right hon. Gentleman in charge of the Bill to agree to postpone it, so I may take the right hon. Gentleman's own words and expect it will be postponed. I say distinctly the right hon. Gentleman desired me, if the Bill came on at a late hour, to ask that it should be postponed, so that we may have a proper opportunity of hearing all about it. Therefore I claim, on the Secretary of the Treasury's own

Mr. Morton

words, that the Bill shall be now deferred.

*(11.45.) MR. SEYMOUR KEAY (Elgin and Nairn): I do not at all wonder that many Members on this side of the House are inclined to view with some suspicion the bringing forward of a Bill like this at such an hour. I may instance a case that occurred only a few nights ago, when the Government brought forward another mysterious Bill called the Accumulations Bill, and it turned out upon examination that the Bill was introduced for no other purpose than that of relieving the finances of certain individuals belonging to this and the other House. Under the circumstances, and as the Bill deals with pensions, I feel impelled myself to attach some sort of suspicion to the proceeding when the Government move the Second Reading at this hour of the night. The right hon. Gentleman in charge has certainly discussed one or two provisions of the Bill to which no objection can be taken, For instance, he has told us that under certain Acts of Parliament public servants, if they change their offices, lose the pension which would attach to the offices they formerly filled, and I do not suppose that any Member on either side of the House will raise any objection to such a just provision of the Bill, which merely provides for the pension being calculated on the continuous service. The right hon. Gentleman said, or so I understood him, that there will be a certain amount of relief to the taxpayers of the country, inasmuch as services of certain officers drawing non-effective pay will be utilised in employment for the State. I have not had time to read the Acts referred to, but, anyhow, I do not object to that provision. Then I understood the right hon. Gentleman to say, or imply, that in his speech he had exhausted the provisions of the Bill. But, so far as I could gather, he did not even touch in a sentence that part of the Bill which appears to me—I speak under all correction, not having thoroughly examined the subject—to be a matter of major importance. I mean Sub-section 2 of the first clause, wherein it is provided that there shall be rules—

“For reckoning services according to the rules under the Superannuation Acts, 1834 to 1837, and for granting the same superannuation allowance or gratuity to any person as might have been granted to him if his whole service had been in the public office from which he ultimately retires.”

Now, this Bill is especially framed to extend to India, and we all know that offices are held there by public servants, some of whose salaries for the time are enormous. I am not going to say whether these salaries are, in my judgment, too high or not, but there is no question about it that some appointments of enormous profit are held under the Government of India. Now, the right hon. Gentleman, so far as I could gather, did not give the least hint as to how this Sub-section 2 would apply with regard to the higher offices held for short periods by Members of the Government of India Service. For example—

SIR J. GORST: It does not apply at all.

*MR. SEYMOUR KEAY: The right hon. Gentleman says it does not apply at all, and, of course, if he says that, I must accept his statement. But I read the heading of the Bill, and find that the Bill is described as to

“Amend the Acts relating to Superannuation Allowances and Gratuities to persons in the Public Service”—

which, I fancy, may be otherwise called pensions—

“so far as respects the computation of successive service in different offices where not all subject to the Superannuation Acts.”

And then it goes on to say—

“And as respects the application of Section 6 of the Superannuation Act, 1837, to employments of profit under the Government of India.”

I have not recently read the Superannuation Act, 1837, and it is possible that it does not embrace these high offices. If I understood the right hon. Gentleman to say that, I will accept his statement, and say no more on that subject. I desire to condense what I have to say, and I ask him specifically—will he kindly say whether or no, or to what extent, if any, this Sub-section 2 will affect, for example, pensions, gratuities and allowances which will be received on retirement by Indian officers of high standing, say, by Lord Roberts, now Commander-in-Chief in India?

SIR J. GORST: If the hon. Member desires an answer, I may say at once the Bill does not in any way affect any pensions payable from the Revenues of India. It will only affect such pensions as are payable out of the Consolidated Fund of the United Kingdom.

*MR. SEYMOUR KEAY: Then I may ask in what respect the financial part of the Bill applies to India? In the Definition Clause (3) the Revenues of India are distinctly mentioned, and reference is made to the grant of a superannuation allowance or gratuity, the remuneration of which may be paid out of—

“(a) the Consolidated Fund of the United Kingdom: or (b) moneys provided by Parliament, or dealt with as appropriations in aid, or (c) the Revenue of India”—
and so forth.

MR. MORTON: May I also ask what is meant by the words at the end of Clause 1,

“Provided that in cases affecting the Revenue of India, the Secretary of State in Council of India shall determine the amount to be paid therefrom”?

*SIR J. GORST: Those questions are reserved for the Secretary of State in Council only, on points affecting the Revenues of India. As I have said, the Bill does not apply to officers whose entire service has been under the Indian Government, but only to those whose service has been divided between the Indian and Imperial Governments, and who are pensionable from the Revenues of the United Kingdom. The rules under Section 6 of the Superannuation Act of 1887 relate to officers retired from the Army and Navy who are employed in the Civil Service of the United Kingdom, and the object is to enable the Treasury to make rules respecting the retirement of those officers.

MR. MORTON: But how about sub-section 3 of Clause 1?

(11.55.) DR. TANNER (Cork Co., Mid): I object on principle, and as an Irishman, to this Bill. How comes it to pass that this responsible Government is trying in this shame-faced way to buy the services of men who have behaved so shamefully in the Public Service in my native land? The Government are evidently trying on a *fin de siècle* boom; if the House will pardon a popular allusion, the Government are

trying by this Bill to pay the men who have done dirty work for them in Ireland. The Bill is to buy off men of the Colonel Caddell type, and so I challenge the Bill, and I sincerely trust that every Irish Member in the House will join me in condemning this attempt. This is not merely a question of pensions, it is a question of rewarding unworthy men for actions unworthy of the Public Service, and awarding still further pensions to the richer pensioned classes. The Government adhere to the old Tory principle of rewarding the rich. They had a premonition yesterday in Hyde Park of the verdict they will receive at the General Election near at hand. The Bill, I say, is for paying the instruments of injustice in our native land. As a matter of fact, every sensible man in the House is against the system of pensions. Let the State pay its servants according to the value of services rendered, a sufficiency to enable them to make provision for themselves and families for old age and failing powers. This Bill is to enable the Government to select chosen individuals whose actions may have pleased the Government of the day, men such as Colonel Caddell and others, who fill the office of Removable Magistrates in Ireland, men brought from the Army and Navy, men who as my hon. Friend says have received large salaries in India.

It being midnight, MR. SPEAKER proceeded to interrupt the Business.

Whereupon Sir J. GORST rose in his place, and claimed to move “That the Question be now put.”

MR. SPEAKER: The Motion for the Second Reading of the Bill has only been discussed for half an hour, but having regard to the manner in which the opposition has been conducted, I feel justified in putting the Question.

Question put, “That the Question be now put.”

(12.0.) The House divided:—Ayes 142: Noes 65.—(Div. List, No. 98.)

Question put accordingly, “That the Bill be now read a second time.”

(12.15.) The House divided:—Ayes 149: Noes 51.—(Div. List, No. 99.)

Bill read a second time, and committed for To-morrow at Two of the clock.

WITNESSES (ROYAL COMMISSIONS
AND PARLIAMENT) PROTECTION
BILL.—(No. 287.)

SECOND READING.

Order for Second Reading read.

(12.25.) MR. YERBURGH (Ches-
ter): In moving the Second Reading of
this Bill I may mention that an under-
standing has been arrived at with the
hon. and learned Member for Hackney
(Sir Charles Russell) by which with
the assent of the Government if the
House will give a Second Reading to
this Bill and to the Bill introduced by
the hon. and learned Member, the two
Bills shall be referred to a Select Com-
mittee. I do not think it is necessary
for me to trouble the House with any
detailed reference to the provisions of
the Bill. As the House knows it
arises out of recent proceedings upon a
breach of privilege, and the firm con-
viction in the minds of myself and my
friends that distrust has been aroused
among the working classes as to the
power of Parliament to protect those
who give evidence in a Parliamentary
inquiry.

Motion made, and Question proposed
"That the Bill be now read a second
time."—(Mr. Yerburgh.)

(12.26.) DR. TANNER: This Bill,
I understand, is the issue of the
proceedings arising out of the wrong-
ful dismissal of the man Hood, who
gave evidence before a Committee,
and was, for so doing, dismissed
from his employment by an hon.
Gentleman, a member of the Conserva-
tive Party, and other Directors of the
Cambrian Railway Company, and for
which the hon. Gentleman and his co-
Directors incurred most severe censure
from the Chair.

(12.27.) MR. MORTON: I do not
rise to make any objection; but I think
it should be clearly understood that
the Bill of the hon. Member for Hack-
ney (Sir C. Russell) dealing with the
same subject should also receive a
Second Reading, otherwise we may
find ourselves jockeyed after passing
this Bill.

(12.28.) MR. BROADHURST (Not-
tingham, W.): Before the Bill proceeds
further, and not now objecting to the

Second Reading, I think it is only right
to say that very careful consideration
must be given to Sub-section 1 of Clause
1 and the language therein used. The
words are, any person who "dissuades,
hinders, or intimidates," &c. These
words are, I think, altogether too
broad, because they would include
people who legitimately object, or prob-
ably would object, to the inquiry by
a Commission. I remember, in 1874,
when the Conservative Party were
in power, they proposed and con-
stituted a Commission for the pur-
pose of inquiring into questions
which we, the organised Trade Unions
considered had been inquired into and
debated quite sufficiently, and we ob-
jected on reasonable and quite sufficient
grounds to giving evidence or taking
any part in the proceedings of the Com-
mission. With the Bill in force leaders
of Trade Unions, if they so acted now,
would be liable to the penalties under
the Bill. I do hope, if the Second
Reading is now agreed to, care will
be taken at a future stage to care-
fully consider the language of Clause 1,
so that the Bill may not really do more
injury than it will do good.

Motion agreed to.

Bill read a second time, and com-
mitted to a Select Committee.

MERCHANT SHIPPING ACTS AMEND-
MENT BILL.—(No. 229.)

SECOND READING.

Order for Second Reading read.

(12.30.) MR. HOWELL (Bethnal
Green, N.E.): I hope the House will
now allow this Bill to be read a second
time. The promoters of the Bill have
come to an arrangement with the ship-
owners' representatives by which we
have agreed to leave out all reference
to the examination of papers, and to
amend the second clause in reference
to the inspection of provisions. If the
House will permit, I propose to insert
the Amendments in Committee *pro*
forma, and then, when the Bill has
been reported, to move its re-committal.

Motion made, and Question proposed,
"That the Bill be now read a second
time."—(Mr. Howell.)

Motion agreed to.

Bill read a second time, and committed for To-morrow.

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I understand it is to be committed *pro forma*?

MR. HOWELL: Yes, this day at two.

SALMON AND FRESHWATER FISHERIES BILL—(No. 258.)

SECOND READING.

Order for Second Reading read.

SIR E. BIRKBECK (Norfolk, E.): I hope the House will agree to give this Bill a Second Reading. The object is to supplement the existing Salmon and Freshwater Fisheries Acts by providing a means of identifying packages containing salmon, trout, or char which may be transmitted from place to place during the period in which the sale or possession of such fish is already, with certain exceptions, illegal. The Bill has the support of the hon. Member for Swansea (Mr. Dillwyn), the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks), and others interested in fishery questions.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Sir E. Birkbeck.)

Motion agreed to.

Bill read a second time, and committed for Thursday.

COMMISSIONERS CLAUSES ACT (1847) AMENDMENT BILL—(No. 216.)

SECOND READING.

Order for Second Reading read.

MR. DILLWYN (Swansea, Town): I hope the House will allow this Bill to be read a second time now. Its object is simply to allow the elections for Commissioners, Trustees, and cognate bodies to be conducted by the ballot instead of by open voting. I do not know that there is any objection to the principle.

Objection taken.

Second Reading deferred till Wednesday.

ACCESS TO MOUNTAINS (SCOTLAND) BILL—(No. 213.)

SECOND READING.

Order for Second Reading read.

DR. CLARK (Caithness): Seeing that the House unanimously passed the Resolution upon which this Bill is founded, may I suggest that the Second Reading should be taken and the Bill referred to a Select Committee in the same fashion as was adopted just now with the Parliamentary Witnesses Bill?

Objection taken.

Second Reading deferred till Wednesday.

NATIONAL EDUCATION (IRELAND).—RETURN.

MR. SEXTON (Belfast, W.): I beg to move the Motion for the Return standing in my name.

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): I am afraid I cannot consent to this without some further consideration. The preparation of the Return will be very expensive. Perhaps the hon. Member will give me a day or two to look into the matter?

MR. SEXTON: This is a somewhat strange proceeding. The Return is in relation to the National Education of Ireland; it concerns the Department of the Chief Secretary, and he, the Minister responsible, has stated that he has no objection to the Return. I am extremely surprised at the right hon. Gentleman's interposition now.

SIR J. GORST: I did not understand that my right hon. Friend had no objection to the Return. At any rate, I cannot let the Motion pass without some further converse with him.

MR. SEXTON: The right hon. Gentleman distinctly stated that he would raise no objection, but he observed that the Return would take a long time to prepare, and probably would not be ready in time for the discussion of the Education Bill. But he certainly said he had no objection to giving the Return. I certainly think the organisation on the Treasury Bench must be defective when the Secretary refuses what a

Minister has accepted. I will renew my Motion to-day.

PUBLIC LIBRARIES LAW CONSOLIDATION BILL.

Select Committee on Public Libraries Law Consolidation Bill nominated of—Sir John Lubbock, Mr. Bartley, Mr. Crilly, Mr. Loder, Mr. Lyell, Mr. Noble, Mr. Paulton, Sir William Plowden, Mr. Powell, Mr. Summers and Mr. Wootton Isaacson.

Ordered, That the Committee have power to send for persons, papers and records.

Ordered, That Five be the quorum.—(Mr. Akers-Douglas.)

SHORT TITLES BILL [*Lords*].

As amended, considered; to be read the third time To-morrow, at Two of the clock.

MOTIONS.

CIVIL BILL COURTS (IRELAND) BILL.

On Motion of The Attorney General for Ireland, Bill to amend the Laws relating to Civil Courts in Ireland, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 313.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

PERSONAL EXPLANATION.

MR. CONYBEARE (Cornwall, Cambridge): I desire, Mr. Speaker, to call your attention to a small matter affecting myself, partly in the nature of a personal explanation, having relation to Division List 91 in the proceedings of Thursday last. A question was put that the Clergy Discipline Bill be committed to the Standing Committee on Law, and Mr. Courtney, acting as Deputy Speaker in your unavoidable absence, directed that the Members who challenged a Division should stand up in their places. The record stands in the Votes thus:—

"The House proceeded to a Division, and Mr. Deputy Speaker stated he thought the Ayes had it, and on his decision being challenged, it appeared to him that the Division was frivolously claimed; and he directed the Noes to stand up in their places, and Fourteen Members having stood up, Mr. Deputy Speaker declared that the Ayes had it."

To my great astonishment, when I looked at the Division List, I found my name at the head of the list of Mem-

bers voting "No." Mr. Speaker, I was sitting in my place the whole time, and took no part in the Division, and I desire that my name may be struck out of the List. I should not have called attention to the mistake in this manner—it is a mistake for which I do not blame anyone—but for the fact that it may render me liable to the charge of obstructing a measure I have been asked to support by my constituents, and which, in their interest, I promised to support. May I also, Sir, venture to offer a humble suggestion that when Members are asked to stand up in their places it might be as well that the names should be read over before the List is passed in order that mistakes may not occur?

MR. SPEAKER: I will take care that the remarks of the hon. Member have attention. I understand that the hon. Member desires that his name should be struck out. The correction shall be made.

MR. CONYBEARE: Yes, Sir, I supported the Bill in two other Divisions.

MR. SEXTON: May I ask the right hon. Gentleman the Secretary to the Treasury, who just now interfered to prevent the granting of a Return in which his Department is not concerned, whether and when he intends to fulfil the promise he gave in reference to a matter in which his Department is concerned—namely, to lay before the House Papers in explanation of the Treasury fiasco in reference to the Irish Teachers' Pension Fund?

SIR J. GORST: I recognise the courtesy of the hon. Member's reference to myself. The Papers will be presented as soon as the Committee have furnished their Report. As to the Return, I may explain to the hon. Member that I do not wish at all to stop it if it is desired by the Government of Ireland, but the hon. Gentleman should be aware that the preparation of this Return involves considerable expenditure which it is necessary the Treasury should sanction before it is incurred.

MR. SEXTON: It is, I believe, in accordance with the usual custom to assume that a Return will be granted

when not opposed by the head of the Department concerned.

MR. CAUSTON (Southwark, W.): In reference to the suggestion made by the hon. Member for Camborne just now, I hope it will receive favourable consideration, because this is not the first time a mistake of the kind has occurred.

DR. TANNER (Cork Co., Mid): Will the right hon. Gentleman, who takes such an unusual interest in matters of Irish administration, give us some explanation of, and say if anything has been done to remove, the deadlock between the Post Office and the Treasury, which prevents the citizens of Cork from having that improvement in their postal service they have every right to claim? A small sum of £3,000 is required for the purpose of giving us

Mr. Sexton

an accelerated service on the Great Southern and Western Railway. The Postmaster General admits the justice of the claim, but the Treasury blocks the way. Can the right hon. Gentleman say if anything is being done to remove this deadlock?

SIR J. GORST: The hon. Member will be glad to learn that there is no deadlock between the Post Office and the Treasury. Nothing has been done, and nothing is likely to be done. The Departments are in a perfect state of harmony.

DR. TANNER: I will refer to the subject in Committee of Supply.

Motion agreed to.

House adjourned at a quarter before One o'clock.

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Cols. Colonies.
c. Commons.
Com. Committee.
com. Committed.

Dept. Department.
Intro. Introduced.
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Obs. Observations.
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R.P. Report Progress.
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PRIVILEGE

Protection of Witnesses before Committees

Sir M. Hicks Beach: "On Saturday last (2
April) a Special Report of the Select Committee on the Hours of Railway Servants

SPEAKER, THE—*cont.*

together with the evidence, was circulated to hon. Members, from which they will have seen that the Committee have reported that a certain railway servant, John Hood, was dismissed by the Directors of the Cambrian Railway Company mainly in consequence of charges arising out of the evidence which he gave before the Committee last year, and for which he was subsequently called to account and censured by some of the Directors and by the Manager of the Company. As Chairman of the Committee, I wish to give notice that it is my intention to call the attention of the House to that Report as a question of Privilege. Since that Report was presented the Committee have had before them two other cases in which it is alleged that certain railway servants belonging to the Amalgamated Society of Railway Servants have been dismissed from their offices in that Society, or otherwise injured, on account of the evidence given before the Committee. The Committee are now examining these cases, and will, I hope, shortly decide whether or not they shall make a Special Report upon them. Therefore, I do not now name a day upon which I shall call attention to this first Special Report, because I think it would be for the convenience of the House and fairer to all parties that the whole subject should be considered together; but I hope there will be no unnecessary delay in the matter. . . . The Special Report already presented deals with all the cases of alleged intimidation that have been brought forward by one side. The Committee are now engaged in considering and taking evidence upon other cases of the same kind which have been brought forward by the other side; and, as Chairman of the Committee, I think that both these cases should be considered together, instead of the House being asked to entertain the question of Privilege on two different occasions."—*4 April, 597*

Mr. Robertson: "I should like to ask you, Sir, as a point of order, is it not a Rule of this House that no reference should be made here to proceedings before Committees upstairs until the Committee have reported to the House? The right hon. Gentleman has mentioned a fact known to him and to the Committee, but not known to the House, as to certain proceedings now taking place."

Mr. SPEAKER—

"I understand the right hon. Gentleman to say that the Committee have reported upon a case which they think touched upon Privilege, and that they are now discussing another case, which might also be one of Privilege, and that it might be for the convenience of the House to discuss them together. I know nothing of the special case before the Committee; but as to the question of Privilege there must, of course, be no undue delay in the discussion of such a question. The

[*cont.*]SPEAKER THE—*cont.*

Privilege, however, will, of course, adhere to the question when it comes before this House."

Mr. Morton: "May I ask you, Sir, whether it would be in order for any Member of this House to bring a question of breach of Privilege before the House?"

Mr. SPEAKER—

"Any Member can bring such a question before the House, but it would be for the House to decide whether it should be dealt with."—*4 April, 598*

[Later] Mr. Philipps: "I should like to ask why, as in the case of the forged letters to the *Times*, the question of Privilege should not have been brought forward, to be dealt with as soon as possible after the offence had been committed?"

Mr. SPEAKER—

"There is no sort of parallel between the cases."—*4 April, 599*

On 5 April, Special Report from the Select Committee on Railway Servants (Hours of Labour) read, as followeth:—

"Your Committee, having considered a letter dated 21 February, 1892, from Mr. Harford, General Secretary of the Amalgamated Society of Railway Servants, and printed in Appendix A., alleging that certain witnesses who had given evidence before them during the last Session of Parliament had been dismissed from their employment in consequence of the evidence they gave, and that other witnesses would be thereby deterred from giving evidence to your Committee, thought it their duty to inquire into the said allegations. Your Committee thereupon examined the following witnesses, who have been reduced or dismissed—namely, John Hood, Edward Kingstone, Alfred Thomas, and Henry Spink, and further took evidence upon the same subject from James Humphreys, John Conacher, Samuel Williamson, John Stokes, James Frederick Buckley, James Thompson, William Birt, John Henry Nettleship, Charles Alfred Randall, Mark Negus, and George Charles Taverner, whose evidence is appended to this Report."

Your Committee report:—

"(1) That the aforesaid allegations in reference to the witnesses Edward Kingstone, Alfred Thomas, and Henry Spink, were unfounded.

(2) That the witness John Hood was, by a resolution of the Directors of the Cambrian Railway Company, at a meeting held on the 6th day of August last, dismissed from the service of the Company, mainly in consequence of charges arising out of the evidence given by him before your Committee, and laid before the Directors by John Conacher, then manager of the said Railway; and further, that James Frederick Buckley, John William Maclure (a Member of this House), and William Bailey Hawkins, Directors of the said Com-

[*cont.*]

SPEAKER, THE—*cont.*

pany, and the said John Conacher, did, at a meeting at Crewe on the 30th September, 1891, held in consequence of an application by the said John Hood for the rehearing of his case, at which the said John Hood was present, call him to account, and censure him for the evidence he gave before your Committee, in a manner calculated to deter other railway servants from giving evidence before your Committee.

Your Committee have not deemed it to be part of their duty to express any opinion as to how far the conduct of the said John Hood, and the irregularities disclosed by his evidence, as well as the character of his evidence, were calculated properly to forfeit the confidence of the Directors of the Cambrian Company.

24th March, 1892."

Special Report considered.

Sir M. Hicks Beach: "It is now my duty, in accordance with precedent, to move—That Mr. John William Maclure do attend this House in his place on Thursday next. That Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher do attend this House on Thursday next, at Three of the clock."

Mr. Radcliffe Cooke: "As a question of Order, Mr. Speaker, I beg to suggest that we ought to take this Report into consideration and come to some decision upon it before we summon people to the Bar of this House, because they may well ask what they are summoned here for. It is an arbitrary and absolute power that we have, and I think we ought not to exercise it except against those who have committed a breach of the Privileges of this House; and although we have taken this Report, and it has been laid on the Table of the House, we have not affirmed the principle that these persons named in this Report have committed any breach of the Privileges of this House. I ask you, therefore, whether there is not a link in the chain wanting, and whether we ought not to take this Report into consideration, and go further, and say that So-and-So—the persons named—have committed a breach of the Privileges of this House; and after this we shall be in a proper position to summon them to the Bar of the House. . . ."

Mr. SPEAKER—

"The House is asked to act, I imagine, on the Special Report of the Committee who have specially inquired into the allegations, which were made before them of intimidation of witnesses. These gentlemen are asked to appear at the Bar of this House in order to state anything they may have to say in their defence, or in mitigation or excuse. After hearing these gentlemen the House will decide whether what they have said is any mitigation or excuse of the offences charged against them, and will decide what action they

[cont.]

SPEAKER, THE—*cont.*

think it right to take, and will instruct me accordingly."

Mr. Radcliffe Cooke: "I venture to call your attention to the fact that the Committee have not come to any decision on the point. The Committee have said that So-and-So have done certain things calculated to deter witnesses from giving evidence before the Committee. I say that this is not a breach of the Privileges of this House, because the Committee left it expressly to this House to affirm that principle; and I venture again respectfully to ask you whether we are in Order in summoning to the Bar of this House persons of whom we have not said yet that they have committed a breach of the Privileges of this House?"

Mr. SPEAKER—

"The hon. Member will observe that the Committee have not decided that any breach of Privilege has been committed, but only that action has been taken by certain gentlemen which is calculated, in their opinion, to intimidate witnesses. It is upon that allegation that the House would like to hear the gentlemen who are referred to in the Report in order to know whether they can say anything in excuse or mitigation of the allegation which is charged against them. I do not think that any injustice can be done to any gentlemen by asking them to attend at the Bar of this House."

Motion agreed to, 5 April, 701

7 April, Order read, for the attendance of Mr. John William Maclure, a Member of this House, and of Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher.

Mr. SPEAKER—

"Is it your pleasure that these gentlemen be called in? I have to ask first, whether the hon. Gentleman the Member for the Stretford Division of South East Lancashire is in his place?"

Mr. John William Maclure rose in his place, bowed to the Chair, and remained standing.

Mr. SPEAKER—

"Order, order! Will the Serjeant-at-Arms see that Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher do appear at the Bar."

The Bar being then drawn, the Serjeant-at-Arms escorted thereto the three gentlemen named, who made their obeisance to the Chair.

Mr. SPEAKER—

"Order, Order! Mr. John William Maclure, you have been ordered to attend in your place, and you, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher, have been summoned to appear at the Bar of this House in consequence of a Special Report made by a Committee of this House. That Committee was appointed to inquire into the hours of labour of railway servants, and in the course of their

[cont.]

SPEAKER, THE—*cont.*

inquiry it came to their knowledge that allegations were made that certain persons had been reduced or dismissed from the service of the Company in consequence of the evidence they had given before the Committee. The other cases were dismissed by the Committee, after inquiry, as being unfounded; but in the case of one person, John Hood, the Committee found that he was dismissed by the Company mainly in consequence of charges arising out of the evidence given by him before the Committee. You, Mr. John Conacher, laid the evidence (so the Committee have found) before the Directors of the Company, and you, the Directors of the Company who are now present (so the Committee have found), when John Hood asked for a re-hearing of the case, called him to account, and you censured him for the evidence which he gave before the Committee, in a manner calculated to deter other railway servants from giving evidence before a Committee of this House. I believe it is the wish of the House to hear anything that any of you may now say in answer to these findings of the Committee."

Mr. John William Maclure having expressed regret if by the course adopted any Rules or Privileges of the House had been unintentionally infringed, and asked the House to accept his apology—in which Mr. James Frederick Buckley, on Mr. Speaker's invitation, expressed concurrence—Mr. Speaker directed the gentlemen summoned to the Bar to then withdraw—

Whereupon, Reso. (*Sir Michael Hicks Beach*) To which, after Debate, Amendment (*Mr. T. P. O'Connor*) [890]

After further Debate, on reference by Sir George Trevelyan to evidence given before the Select Committee [893]

Mr. A. E. Gathorne-Hardy, rising to Order, said: "I wish to ask you, Mr. Speaker, whether the right hon. Gentleman is in Order in anticipating the Report of the Committee as to the hours of labour, which they were not able to present?"

MR. SPEAKER—

"The right hon. Gentleman is in Order, so far as it bears on the case, in calling attention to anything that was placed before the Committee. The right hon. Gentleman is perfectly in Order in referring to it up to the day on which this gentleman was dismissed from his service."

Mr. A. E. Gathorne-Hardy: "With great respect, Mr. Speaker, I rise again, to ask whether the right hon. Gentleman is in Order in anticipating the decision of the Committee with regard to the question of the hours of labour in the case of the Cambrian or any other railway?"

MR. SPEAKER—

"The right hon. Gentleman would not be in Order in anticipating the ultimate decision

SPEAKER, THE—*cont.*

of the Committee as to the question of the hours of labour. That is not the Question before the House."

Mr. Milvain following with other references to the evidence: [908]

Mr. Heneage said: Mr. Speaker, I wish to ask whether the hon. Gentleman is entitled to go into all these facts? If so, we shall have a week's debate."

MR. SPEAKER—

"That is entirely a matter for the discretion of this House. I quite agree with the right hon. Gentleman that it may be inconvenient to travel into all the details, but it is not for me to indicate the direction in which the discretion of any hon. Member may be limited in discussing the Special Report and the evidence contained in it." [904]

After further debate,

Mr. Picton (*Leicester*): If I am in Order, of which I am not certain, I should like to move an Amendment to the Amendment."

MR. SPEAKER—

"It would be in Order." [951]

At 11.25, Mr. A. J. Balfour rose in his place, and claimed to move, "That the Question be now put,"

Question put, "That the Question be now put."

Dr. Clark (*speaking seated*): "May I ask you, Sir, if, before you put the Main Question, it will be in Order to move an Amendment which I had intended to move in reference to imprisonment?"

MR. SPEAKER—

"No, that would not be in Order; the House will proceed to a decision on the Main Question."

Mr. Robertson (*speaking seated*): "May I ask you, Sir, whether the Main Question can now be put without a previous Motion being carried?"

MR. SPEAKER—

"The Motion for putting the Question being carried applies to the Questions put from the Chair. This Question with the others has been put from the Chair."

Mr. T. M. Healy: "Does it follow that the Question is put on the Motion of the right hon. Gentleman?"

MR. SPEAKER—

"It is claimed and put if allowed. I allow it." Main Question put accordingly. (*Loud cries of "No."*)

Dr. Tanner: "No humbug!"

MR. SPEAKER—

"Order, order! With regard to the expression just used, I refrain from naming the hon. Gentleman who used it, because on an occasion such as this I do not wish to take any strong measures. I hope the House will behave to the end in a judicial spirit."

SPEAKER, THE—*cont.*

Resolved, "That this House, while recognising that Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher have disclaimed any intention to deter any railway servants from giving evidence before its Committee, and have expressed their unqualified regret for having unintentionally infringed any of its Rules and Privileges, is of opinion that the said Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher have committed a breach of the Privileges of this House in their action towards John Hood, and that they be called in and admonished by Mr. Speaker for the breach of Privilege that they have committed."

Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher were accordingly called in, and Mr. Maclure standing in his place, and Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher, standing at the Bar, were admonished as followeth. [962]

Mr. SPEAKER—

"Directors of the Cambrian Railway Company: the House has had under its consideration the case which has been presented to it, and I am now directed to inform you of the Resolution at which it has arrived. I will read to you the words of that Resolution:—'This House, while recognising that Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher have disclaimed any intention to deter any railway servant from giving evidence before its Committee, and have expressed their unqualified regret for having unintentionally infringed any of its Rules and Privileges, is of opinion that the said Mr. John William Maclure, Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. John Conacher, have committed a breach of the Privileges of this House in their action towards John Hood, and that they be called in and admonished by Mr. Speaker for the breach of Privilege that they have committed.'

"It now becomes my duty, as the mouth-piece of the House, and as the interpreter of its wishes, to state to you what is the opinion of the House upon your conduct. It is quite true that you have made an apology to the House for the undoubted breach of its Privileges. I need hardly tell you that a mere apology does not always cover the extent and surface of an offence; but the House has taken a lenient view in that respect of your conduct, and has expressed in its Resolution its willingness to accept your apology. But that is not all. The House has directed me to admonish you for a grave breach of the Privileges of this House. I would have you know,--each and all of you gentle-

[*cont.*SPEAKER, THE—*cont.*

men,—that though the Privileges of this House are not to be put into operation upon any light or trivial occasion, and though the intervals are long between the periods when appeals are made to those Privileges, yet a Privilege of this House is no unreal, shadowy, or unsubstantial thing; it is what the House clings to, and what it is determined to maintain. The breach of Privilege which you have committed is, that you have by your conduct intimidated a witness before this House; that your conduct towards him is calculated to deter witnesses in giving evidence before this House or its Committees. So dear is that especial Privilege to this House, that I must remind you that at the commencement of every Session, and therefore at the commencement of this Session, on the very first day of its meeting, two Resolutions were passed by this House, in one of which it declared, 'That if it shall appear that any person hath given false evidence in any case before this House, or any Committee thereof, this House will proceed with the utmost severity against such offender.' The second of those Resolutions expresses the determination of the House, 'That if it shall appear that any person hath been tampering with any witness in respect of his evidence to be given to this House or any Committee thereof, or' (and this is the point to which I would especially direct your attention) 'directly or indirectly hath endeavoured to deter or hinder any person from appearing or giving evidence, the same is declared to be a high crime and misdemeanour, and this House will proceed with the utmost severity against such offender.' Those are Resolutions which are fresh in the memory of this House, and which I am surprised that those gentlemen whom I now see before me at the Bar should have so lightly infringed. It is a very grave and serious offence that you have committed. The House in its judgment and, I should add, in its mercy has decided that I should admonish you. I do most seriously admonish you, and I warn you that any repetition of this offence, for it is an offence, will be visited by this House with its very severe rebuke, reproof, and punishment. A great principle has been infringed, the principle that evidence given before this House shall be free and unrestrained. I warn you against repeating an offence of this character. The offence is a very serious one, for it is no less an offence than trying, however unadvisedly it may be in certain cases, to deter witnesses from giving evidence before a Committee of this House, and thus to disturb and taint the very sources of truth. I believe I act, as I wish to act, as the interpreter of the feelings of this House when I seriously admonish you, and express the hope that your example will serve as a deterrent to others, and that it will also act as a warning to yourselves never again to presume to commit

[*cont.*

SPEAKER, THE—cont.

the like offence against the character, the dignity, and the purity of this House."

Then Mr. James Frederick Buckley, Mr. William Bailey Hawkins, and Mr. James Conacher were ordered to withdraw, and they withdrew accordingly.

Sir M. Hicks Beach: "I now beg to move, 'That the admonition delivered by Mr. Speaker be entered upon the Journals of this House.'"

Mr. T. M. Healy: "May I ask, as a point of Order, is that consequential business?"

MR. SPEAKER—

"Yes; and I hope the House will allow the remarks which it was my duty to deliver to be entered on the Journals of the House."

Motion agreed to.

Ordered, That the admonition delivered by Mr. Speaker be entered upon the Journals of this House.—7 April, 1964

RULINGS

Referring to Mr. S. Keay speaking on Indian Councils Act Amendment Bill:

MR. SPEAKER—

"The hon. Gentleman is not entitled to review the whole condition of India on a Bill of this kind. . . . I am sorry to inform the hon. Gentleman that he is not touching the Bill before the House."

[Later] "The hon. Gentleman must obey my ruling."—28 March, 108, 109

Mr. A. J. Balfour claimed, "That the original Question be now put."

Mr. Sexton: I wish to ask you, Sir, if the right hon. Gentleman is in Order in taking that course?"

MR. SPEAKER—

"There is no necessity for a further Motion; the Divisions already taken lead up to a decision on the Main Question."

Mr. Sexton: "What I wish to ask, Sir, is whether the Motion of the right hon. Gentleman is superfluous—whether the putting of the Main Question follows on the Original Motion for the Closure?"

MR. SPEAKER—

"There can be no further debate on the Main Question. The right hon. Gentleman having moved that the Question be now put, and that being carried applies to the Original Motion. The proceeding is in order. I am acting under the Standing Order of the House."

On Motion to refer same Bill to a Select Committee:

Colonel Nolan: "I should like to speak upon that Motion."

MR. SPEAKER:

"Further proceedings stand over if objection is taken."—28 March, 138

[cont.]

SPEAKER, THE—cont.

Dr. Clark: "Mr. Speaker, may I call attention to the second Order of the Day, 'Military Lands Consolidation Bill. Adjourned Debate on Motion for committing the Bill to a Select Committee?' That was proposed, I believe, after twelve o'clock. Am I to understand that this is an adjourned Debate, it being contentious Business after twelve o'clock?"

MR. SPEAKER—

"After the Second Reading of the Bill, the Member in charge stated what further action was proposed to be taken in regard to it. There might not have been any objection, but, he having proposed that the Bill be referred to a Committee, and objection being taken, I at once said that in the circumstances the Bill must stand over, and so it becomes from the necessity of the case an adjourned Debate."—29 Mar. 165

On Instruction moved by Admiral Field:

MR. SPEAKER—

"With unqualified respect for the opinion expressed by an authority in the House, I think, after hearing the doubts expressed on both sides of the House, it will be far better to send the Instruction to the Committee. The Bill repeals a clause in the Eastbourne Act in reference to processions on Sundays; and if the Committee or Chairman have any doubt as to whether their power extends to making any regulation on the subject for the peace of the borough, I think it would be far better that there should be an expression of the opinion of the House that they have that power to inquire into the question. It is not a mandatory Instruction; it is only a declaration that the Committee have the power, and, under the circumstances, I think it is expedient that the Instruction should be given."—31 Mar. 324

On an alteration in the nomination of Members of a Select Committee, objected to by Mr. J. Chamberlain:

MR. SPEAKER—

"The alteration has not been made in consultation with me; and certainly, as it stands, it is a new proposition, and if opposed must stand over for Monday."

Mr. J. Chamberlain: "I oppose it."

Mr. S. T. Evans: "It appears on the Paper 'by Order,' Mr. Speaker."

MR. SPEAKER—

"It does not appear by Order in the altered form, and that it is so printed on the Paper is an error."

Mr. S. T. Evans: "By the indulgence of the House I may be allowed to say that I made the alteration to meet the view, as I thought, of the right hon. Gentleman himself, and if I may appeal to the right hon. Gentleman the matter might as well be discussed to-day."

[cont.]

SPEAKER, THE—cont.

Mr. SPEAKER—

"Order, order! The matter is not one to be settled between the hon. Gentleman and the right hon. Gentleman, but is a matter for the House at large."—1 April, 464

Mr. J. Chamberlain: "Before the hon. Member proceeds with his protest, I beg to ask you, Sir, whether it is in Order, seeing that it now appears for the first time on the Paper in the hon. Member's name, it having stood before in the name of the hon. Member for Glamorganshire?"

Mr. SPEAKER—

"It would be hyper-criticism on my part if I were to take any objection, seeing that it is precisely the same Motion as on a previous occasion was deferred."

Mr. D. Thomas: "I beg to give notice that I shall to-morrow move that the hon. Member for Gateshead be discharged from serving on the Committee, and that the hon. Member for South Glamorgan be nominated in his stead."

Mr. SPEAKER—

"I look with extreme jealousy on the House interfering with the Committee of Selection by discharging a Member who has been appointed by that Committee. That Committee is specially deputed by the House to make choice of Members to serve; but perhaps an amicable arrangement can be come to between the House and the Committee of Selection."—4 April, 552

On Order for going into Committee,

Mr. SPEAKER—

"The only other Instruction standing on the Paper is unnecessary. What it proposes can be done in Committee without Instruction, so I now proceed to leave the Chair to complete the proceedings begun before midnight, and in pursuance of Standing Order No. 51."—4 April, 669

Referring to Colonel Saunderson's remarks on Mrs. Montagu, and Mr. Conybeare on Fanny Gane's sentence,

Mr. SPEAKER—

"Order, order! The rule to be observed in putting a question which is on the Paper must also be observed when putting a question which is not on the Paper."—861

"That is an improper question to put. It is not permissible to question the decision of a Judge in that manner."—7 April, 863

Order for Committee read.

Mr. Winterbotham rose to move, "That Mr. Speaker do now leave the Chair."

Mr. SPEAKER—

"A point of procedure arises here which is, I think, a new one. I feel it would be rather hard to insist upon the application of the technical Rule that there being no instruction to the Committee before the

[cont.

SPEAKER, THE—cont.

House I should immediately leave the Chair. Two Notices of Instructions were placed on the Paper late last night. The hon. Member has rather complained that he was not informed of the objection to his Motion, but it is no part of the duty of the Clerk to call attention to the terms of a Notice of Motion. The Instructions are out of Order, inasmuch as they are mandatory instead of being permissive; but, under the circumstances, I think I should be straining the Rule if I did not allow an opportunity for an Instruction to be moved. I am conscious that in so doing there may be a little unfairness to the advocates of the Bill, but the circumstances are peculiar, and I think it will be convenient if I do not now leave the Chair."

Mr. Storey: "I thank you, Sir. Shall I be in Order if I move now?"

Mr. SPEAKER—

"No; the hon. Gentleman will give notice."—7 April, 965

On the following day, Order for Committee read.

Mr. SPEAKER—

"The two Motions for Instruction to the Committee are both out of Order. I therefore leave the Chair."

[Later] **Mr. T. M. Healy** said: "I object. The hon. Member takes the first Wednesday after Whitsuntide Vacation. I object, and I understand that by the Standing Order if objection be taken at this stage the question stands over. I ask your ruling on the point."

Mr. SPEAKER—

"It is for the hon. Member in charge of the Bill to appoint the date when the Bill will be taken unless the House should decide otherwise."—8 April, 1039

Sir J. GORST claimed to move, "That the Question be now put."

Mr. SPEAKER—

"The Motion for the Second Reading of the Bill has only been discussed for half an hour; but having regard to the manner in which the opposition has been conducted, I feel justified in putting the Question."—2 May, 1860

Deputy Speaker and CHAIRMAN OF COMMITTEES (RIGHT HON. L. H. COURTNEY), Cornwall, Bodmin

Mr. Speaker being indisposed, **Mr. Courtney** took the Chair as Deputy Speaker, pursuant to Standing Order, 28 April, 1533; 29 April, 1641

[As DEPUTY SPEAKER]

Argumentative Question, 29 April, 1649
Order of Debate, 28 April, 1557; 29 April, 1670

Mr. A. J. Balfour: "That the Question be now put."

[cont.

SPEAKER, THE—*cont.*

Mr. DEPUTY SPEAKER—

"No doubt the time allowed for the discussion of this Motion has been very short; but in considering the rights of a minority it is essential to take into account the use which the minority have made of the time at their disposal. I shall put the Question."
—28 April, 1640.

On Colonel Hughes moving an Instruction:

Mr. DEPUTY SPEAKER—

"I have considered the terms of the Motion for an Instruction of which the hon. Member has given notice. The Bill to which it refers is an omnibus Bill, but I do not find that any one of the clauses deals with any matter cognate to the subject of the Instruction, which, therefore, cannot be entertained, not being in order."
—29 April, 1643

Mr. Macartney: "I wish to ask your ruling, Sir, on a point of Order connected with a Motion standing in the name of the hon. Member for South Armagh with respect to the establishment of an Irish Parliament. I wish to ask whether the discussion on that Motion will be in any way interfered with by the terms of the Motion standing in the name of the hon. Member for Caithness for to-night?"

Mr. DEPUTY SPEAKER—

"I must say, in reference to this question, on behalf of Mr. Speaker, that the matter was never brought before him at all till last Wednesday, and therefore the statements that have been made in the Press are quite unauthorised. The question on the Paper for to-day is so different in scope from that standing in the name of the hon. Member for South Armagh for next Friday, that the discussion of the latter Motion will not be prejudiced by any decision the House may come to on the former."—29 April, 1658.

[As CHAIRMAN of COMMITTEES]

"Abuse of the Forms of the House," 29 April, 1715

Order of Discussion, 1 April, 494, 512, 517; 5 April, 707; 11 April, 1180, 1198; 12 April, 1270; 25 April, 1360, 1372, 1382; 29 April, 1715, 1716, 1718; 2 May, 1797

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On Mr. T. Ellis's Withdrawal of an Amendment:

The CHAIRMAN—

"I would point out to the hon. Member that the most appropriate occasion on which to bring the question up again would not be on Clause 3, but in the form of a new

[*cont.*

SPEAKER, THE—*cont.*

clause. Is it your pleasure that the Amendment be withdrawn?"—11 April, 1195

Mr. Knox: "I think the Act will lose very materially by leaving out the 2nd clause, and I apprehend that it will be possible to amend this on the Report stage."

The CHAIRMAN—

"On the Report stage it would be competent for the hon. Member to propose any Amendment he likes of the kind he indicates; but we cannot now do something which would undo what the Committee has already done. The Committee must be consistent."—29 April, 1720

Mr. Robertson: "I rise on a point of Order. If all the words proposed in the Amendment now before the House are left out, I am afraid my Amendment would be excluded."

The CHAIRMAN—

"It seems to me that the issues are precisely the same, that the object of the hon. Member is the object of the other hon. Member."

Mr. Robertson: "My object is, I submit, entirely different."

The CHAIRMAN—

"So far as the object of the hon. Member is to preserve the freedom of the House of Commons in future years, it is the same as that of the hon. Member for Edinburgh (Mr. Buchanan): if the object is to give the House of Commons power to set aside the arrangement this year, it is otherwise irregular."

Mr. Robertson: "My Amendment goes a long way beyond that of my hon. Friend. What I really want to do is to declare by this Act that it shall be in the power of the House of Commons at any time to pass a Resolution which should have the force of law, and should repeal the scheme in force under this Bill."

The CHAIRMAN—

"I never heard of such a novel suggestion. If the House of Commons wishes to do that, it already possesses the power without embracing it in an Act of Parliament. It should refuse to concur in a proposal it could immediately set aside. . . . It is so novel that it appears to be irregular. As far as I know Parliament has never passed an Act making a law which may be immediately repealed by one House."
—2 May, 1818

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